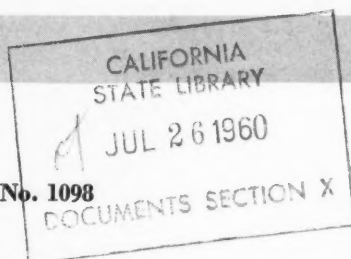




Bulletin



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SPECIAL
WEEKLY RECORD
UNITED STATES
FOREIGN POLICY

THE DEPARTMENT OF STATE

Bulletin

VOL. XLIII, No. 1093 • PUBLICATION 7022

July 11, 1960

The Department of State BULLETIN, a weekly publication issued by the Office of Public Services, Bureau of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes selected press releases on foreign policy, issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest.

Publications of the Department, United Nations documents, and legislative material in the field of international relations are listed currently.

For sale by the Superintendent of Documents
U.S. Government Printing Office
Washington 25, D.C.

PRICE:

52 issues, domestic \$8.50, foreign \$12.25
Single copy, 25 cents

The printing of this publication has been approved by the Director of the Bureau of the Budget (January 20, 1958).

Note: Contents of this publication are not copyrighted and items contained herein may be reprinted. Citation of the DEPARTMENT OF STATE BULLETIN as the source will be appreciated.

Secretary Herter's News Conference of June 24

Press release 353 dated June 24

Secretary Herter: Ladies and gentlemen, I have one or two very brief preliminary statements I would like to make. One deals with the 10th anniversary of the attack on the Republic of Korea.

Ten years ago Communist armies in north Korea launched an unprovoked surprise attack across the 38th parallel on the Republic of Korea, a Government established less than 2 years before under United Nations auspices.

On June 25, 1950, the Security Council of the United Nations adopted a resolution calling for the immediate cessation of hostilities and the prompt withdrawal of the north Korean forces to the 38th parallel.

At the call of the United Nations, 16 nations contributed forces to the struggle against aggression in Korea. They succeeded in repelling this aggression, but only at a tremendous cost in blood and treasure.

The 10th anniversary of the United Nations collective action in Korea, therefore, calls for a reaffirmation of the free world's determination to resist aggression and our support for the United Nations. By maintaining the free-world position in Korea, we hope, as President Eisenhower and Prime Minister Huh Chung stated in their joint communique last week, to preserve "a climate in which free Asian nations can enjoy independence, promote human rights, and improve the spiritual and material welfare of the people."¹

The second announcement I would like to make is that our Ambassador to Chile, Walter Howe, is in the United States today, and he will be holding a press conference this afternoon at 2:30 and will go into details of our operations in connection with the great Chilean disaster. As he has reported them to me, they are operations of which the United States, I think, can be very proud. They

were operations, as you know, that were conducted by very large units of our Military Establishment and were conducted in a spirit and in a way which I think has brought great credit on that establishment. And I hope that as many of you as can will get that firsthand report from our Ambassador, as it is a very interesting, timely, exciting story.

The third thing that I wanted to say a few words about was in relation to the general public discussion that has taken place in recent days and weeks in regard to so-called personalized diplomacy. I think that there has been a confusion that I want to straighten out as far as I can with respect to the purpose of the President's visits to countries abroad.

With the exception of the trip that he took to Europe last year, in which he met with General de Gaulle, Prime Minister Macmillan, and Chancellor Adenauer for the purpose of discussing matters that might be raised in the summit conference, and the second trip that he took to Paris in anticipation of a summit conference, all of his other trips were taken not as diplomatic missions in the sense of negotiating anything with anyone but entirely for the purpose of good will, for the purpose of indicating our interest in the United States in the countries that he visited, of conveying to the peoples of those countries our very genuine concern over their welfare, and over promoting the peace of the world. These trips have been eminently useful.

It is true that the Secretary of State has in recent years been obliged to go to a great many conferences, and this likewise has been called personalized diplomacy. These trips have increased in number largely because of our alliance system, because of the greater facilities for moving from one capital to another, and because of the necessity of conferring frequently among our allies in formalized conferences. These conferences in a

¹The above four paragraphs were also released separately as press release 351 dated June 24.

sense are personal diplomacy only in that the Secretary of State, in most instances, must attend because of the makeup of the conferences and the fact that other nations were sending their foreign ministers.

One of the reasons that I emphasize this is that the impression seems to have gained some currency that because of these trips there is less of a need for our ordinary channels of diplomacy through our ambassadors communicating directly with their home offices. In no way has that need been reduced. If anything, with the facilities of travel and the much greater contact that exists between nations, the new number of nations that are coming into existence, the actual burdens—the actual responsibilities—of our regularly established diplomatic services, our ambassadorial missions, have achieved an entirely new and more important significance. This is particularly true because of the fact that in our foreign missions the individuals who are responsible as the chiefs of mission for what is called the country team have got to apply themselves not alone to what are the matters of ordinary diplomacy but also to matters of military concern, of cultural concern, of social concern, so that their responsibilities are being constantly enlarged.

Those are the only preliminary statements I have to make.

Q. Mr. Secretary, would you evaluate the prospect for United States bases in Japan under the new security treaty in the light of the political disorders which we have seen there?

A. Well, as you know, we are convinced that the great majority of the people of Japan are in favor of the mutual security treaty that has just been ratified.² Certainly every election that has taken place in Japan since 1952 has indicated a strong support for Japan's own determination to ally itself with the West. Just what the coming internal developments in Japan will be, of course, we cannot tell. In the Diet there is still nearly a two-thirds majority in both branches for the existing Liberal Democrat Party. Whether or not elections will be held, we do not know. Just how a new government may be formed, with the resignation of Prime Minister Kishi, we don't know.

² For a statement by Secretary Herter before the Senate Foreign Relations Committee on June 7, see BULLETIN of June 27, 1960, p. 1029; for text of treaty, see *ibid.*, Feb. 8, 1960, p. 184.

But we have every confidence that the basic good will of the Japanese people and their willingness to continue to align themselves with the West still remains.

OAS Peace Committee

Q. Mr. Secretary, there have been recent reports in newspapers that the United States has decided to bring an omnibus indictment against Cuba before the OAS [Organization of American States]. The information we have got from here is that no such decision has been taken so far. Can you clarify that?

A. Yes. As you know, at the Santiago conference this last year that I attended,³ the Peace Committee of the OAS was instructed to examine into the tensions existing in the Caribbean area with possible violations of human rights and to report to the OAS with respect to those tensions and such steps, if any, as it could take to lessen those tensions. That committee has been in the process of collecting information. We have furnished certain information to that committee; we propose in the near future to supply it with still further information. But, as you know, that is an autonomous body—on its own. It so happens that an American has been chairman of that committee, but his term will expire and the United States will not be represented on that committee after the 1st of August. Nevertheless, it will carry on, and we will continue to furnish it with such information as we feel is relevant to its studies.

Q. Mr. Secretary, since U-2 there has been a rising amount of critical comment—not all of it irresponsible—to the effect that our system of defensive alliances with other countries in various continents has been badly damaged by international developments and may indeed be open to question in terms of future effectiveness. Would you comment on that type of criticism, and would you say whether the State Department is now engaged in a reappraisal of what emphasis in the future might be dictated by these events?

A. Yes, I would be very glad to comment on that. I do not share the views that you have expressed as coming from responsible sources, that our alliance system has been damaged by the U-2 incident. In fact, as I think I have expressed

³ *Ibid.*, Sept. 7, 1959, p. 342.

before, the NATO [North Atlantic Treaty Organization] alliance meeting that I attended since that time in Paris⁴ indicated a greater firmness and a greater cohesion than I have seen at any time whatsoever. Such indications as we have had from either the OAS, from SEATO [Southeast Asia Treaty Organization], from CENTO [Central Treaty Organization], with which as you know we are affiliated through committees, have indicated a continuing firmness, a continuing solidarity, that I do not feel has been injured in any way by the U-2 incident.

Q. Mr. Secretary—

A. May I just add one thing to that? I beg your pardon. The SEATO conference, which took place here in Washington,⁵ largely of Far Eastern nations, indicated a degree of solidarity which was likewise very complete. There was no sign whatsoever of any weakening there. If anything, there was a stronger feeling of solidarity.

Q. Mr. Secretary, before the House Agriculture Committee the other day you said that the time had come to diversify our sources of sugar supply and you asked for Executive authority for the President to cut quotas.⁶ Is it contemplated that you would cut more than the annual increment and Cuba's share in shortfall, or would the cuts possibly go deeper than that?

A. As you may recall, my testimony was to the effect that we were supporting the administration bill which was filed in March—I think it was on March 15th—which would give to the President discretionary authority in the cutting of quotas. Obviously I'm not going to comment on the degree to which he might exercise that authority, or even whether he would exercise that authority, because we feel that it's important with the Congress out of session for the President to have that authority, both to insure our own domestic sugar supplies and in the national interest.

Q. Mr. Secretary, you have long been a friend of Vice President Nixon. Should the Vice President be elected President in November and should you be asked, would you be willing to stay on in the Nixon administration as Secretary of State, or do you intend to retire on January 20th?

⁴ *Ibid.*, June 6, 1960, p. 907.

⁵ *Ibid.*, June 20, 1960, p. 983.

⁶ See p. 58.

A. I will answer that very frankly. I do not expect to continue in any administration as Secretary of State. You may recall that at the time that I was asked to serve in this capacity I was asked to take a physical examination to ascertain to what extent the particular affliction from which I suffer would become progressively worse. And I was given a clearance for the period of time which would end with this administration. I very frankly feel likewise that, both because of my age and the possibility that this may become worse, a younger man should take on, even if I were asked to serve.

Q. Sir, there have been indications that Peking and Moscow are at odds over whether to pursue a hard or tough foreign policy, particularly toward the "imperialist countries." What effect do you see that this cleavage, if it does exist, may have on future relations between the Soviet Union and Communist China?

A. Well, it's very difficult to assess this ideological row that is going on at the present time. It seems to be a very real and rather deep-seated difference in interpretation of Communist ideology. Whether it has any practical implications from the point of view of the relationship between Soviet Russia and the Chinese Communists it is impossible to ascertain at this time.

Q. Mr. Secretary, in your inventory of personal diplomacy, where would you class a journey to Camp David to meet with Mr. Khrushchev or, for that matter, Mr. Macmillan? Is that the sort of thing for which you see no future?

A. The Camp David visit was a rather exceptional type of visit. It was the first visit of a Communist leader to the United States. It was arranged there to ascertain whether, through personal discussions, any of the existing problems might be resolved. As you know, very little came out of that conference. This was a rather exceptional type of visit by the head of one state to the head of another state. So that I wouldn't call that a typical case. It certainly isn't comparable in any way with the good-will visits that the President has taken to the many countries that he has gone to in the last year.

Q. Mr. Secretary, to come back one moment to your remarks before about our presenting information to the peace commission, does that mean

we at this point are not bringing any charges or any indictment as had been reported before?

A. At this moment, no.

Q. *Mr. Secretary, yesterday you conferred with other people in the Cabinet about a reported new approach on disarmament at Geneva. Can you tell us what the purpose of this new approach would be—how quickly you feel it might be made and what you hope to accomplish by it?*

A. Well, it is true that Mr. [Fredrick M.] Eaton, who is our chief negotiator in Geneva, came back to consult with us on the new proposals that had been made by the Soviet Union and our own approaches in Geneva. We have had very thorough consultations. We have in mind a certain line of action which might well come in Geneva some time in the middle of next week. I am obviously not at liberty to talk about any specifics at the present time. Mr. Eaton is just returning to Europe today and will be in consultation with our allies on the Western side who are likewise members of that disarmament committee. And until their discussions are completed, I wouldn't feel free to discuss details.

Q. *Mr. Secretary, Mr. Khrushchev seems to have had a number of things to say about various presidential candidates in this country. I'd like to ask you this question: Looked at from the standpoint of American foreign policy and Soviet foreign policy, do you think that it makes any difference from the Communist point of view which party or which President is elected in November?*

A. Well, I wouldn't want to pass any judgment on that. That obviously is anticipating things well beyond the election period that I wouldn't want to get into.

Q. *Mr. Secretary, do you see any evidence in the events of the last 8 weeks that suggests a basic change in Soviet policy, or in the tactical handling of Soviet diplomacy, or of the personal position of Mr. Khrushchev in the Soviet hierarchy?*

A. No, I don't think that we have any evidence on any one of those points. From the point of view of basic policy, as far as we know, it has remained very much the same. I think that perhaps the attitude of the Soviets in the two negotiations that are now going on in Geneva may give some future indication as to whether there has

been any change, but up until now I don't think we can detect any specific change.

Q. *Mr. Secretary, on this political question, in several public comments Mr. Khrushchev has said he, of course, had no intention of interfering in United States internal affairs. At the same time, he has expressed certain standards and certain preferences which he thought would apply to the American election. What do you think of the propriety of Mr. Khrushchev's suggestions to the American people about whom they might elect?*

A. Well, it comes about as close to interference in the internal affairs of a country as anything I could describe.

Q. *Mr. Secretary, what is your interpretation of Mr. Khrushchev's interpretation—new interpretation—of Leninism, et al.? (Laughter)*

A. Well, I am not a particular expert in this field, but to put it into a nutshell he is apparently trying to give greater flexibility to some of the early doctrines of Lenin and Marx than the Chinese Communists are willing to give, particularly in connection with the matter of the inevitability of war and peaceful coexistence. I think that is what he is trying to do in some ways possibly to justify his own orthodoxy with his present policies.

Disturbances in Tokyo

Q. *Mr. Secretary, if the difficulties in Japan are to be attributed only to a Communist minority that obviously led these demonstrations, and if there is much basic support, I mean for the treaty, why do you think it is necessary that Premier Kishi feels he must resign?*

A. Well, I don't want to discuss the internal politics of Japan here, but I think that the question of his resignation is a matter within his own party, much more than it is a question of opposition from the outside party.

Q. *Mr. Secretary, you have told Senators this week that the State Department misjudged certain aspects of the disturbances in Tokyo. But according to the dispatches that we are getting from Honolulu, the White House concentrates all of its explanation of events on the Communist minority, seeming to admit no fallacy at all. Is there a discrepancy here? Is there a conflict of interest between the State Department and the White House interpretation?*

A. No, I don't think there is any discrepancy whatsoever. When I spoke about misjudging, we at no particular time knew exactly to what extent the demonstrations would continue, what size they might be, or the degree of violence that might accompany them. We had no way of foretelling those things. I think the phrase that has been attributed to me in connection with misjudging those things was the impossibility of our being able to determine ahead of time just what form they would take. There is no question but what has inspired those demonstrations. I think that the facts there are very clear, and I think they would be agreed to by and large in Japan.

Q. Well, may I just follow that up on one point, sir? If it had not been impossible to judge the events beforehand, would you have recommended a different procedure?

A. I don't think so. I have got to go back here to the original invitation to the President, which, as you know, took place last January. The invitation was with respect to the exchange of high-ranking personalities in this 100th anniversary year of the opening up of Japan to diplomatic missions elsewhere, with the sending of their first ambassador to the United States. That invitation was accepted, and the time that it was arranged for was the time after the President had planned to leave Russia.

When the Russian trip was called off, the question came up at once as to whether the President should extend his trip in the Far East, as he had been asked to do by many Far Eastern countries, and it was decided that he should. And then, as you know, other countries were added to his schedule.

The question of the President's not going to Japan was, we felt, always a matter of decision for the Japanese Government, not for us. The Japanese Government was, of course, watching the situation very carefully and finally made its decision, which the President regretted but for which he expressed sympathy and understanding.

It would have been a very different thing if we had taken the initiative in order to cancel that visit.

Q. Well, Mr. Secretary, on that question, though, it is true, isn't it, that the American security officers recommended that the visit not take place?

A. I don't know that they ever recommended that. I think that they had always been nervous about it and anxious about it.

Q. Mr. Secretary, could you give us some information and report to us on the work of the President's Advisory Committee on Inter-American Affairs? Do you anticipate a report to the President at any time soon?

A. Well, I doubt very much whether they will be issuing formal reports. They have from time to time put on paper some of their ideas that have been extremely helpful. We have meetings at regular intervals. I think the next one is scheduled for early in July. And much of our consultation is on the basis of these meetings and exchanges of views and very little on the basis of formalized reports.

Q. Mr. Secretary, could I recheck on one point here which you just made about the American security officers? You said, I don't know that they ever recommended it, that they had been very concerned about it, that is, the President's personal security. There has been quite a bit of controversy about the relative roles of the United States and Japan, or specifically the roles of Mr. Fujiyama and Mr. MacArthur on the question of initiative in canceling the invitation. I'd like to ask you this specific question. Did the United States at any time suggest to the Japanese Government that it might be better to cancel the trip, or that if certain assurances could not be given the trip should perhaps be canceled?

A. No. The United States never took the initiative in that respect. Those matters were, of course, discussed by MacArthur with the Japanese Government, which itself was very much concerned.

Q. Mr. Secretary, when and why did this Government discard its assumptions that you had to deal with Mr. Khrushchev at the summit because his power of decisionmaking in the Soviet Union was singularly high?

A. Well, I couldn't tell you when that particular decision was made. I know that the decision was made after Camp David by the President that he would be willing to go to a summit conference. That decision was not made until after the Camp David conference.

Q. Thank you, sir.

Department Requests Restoration of Funds in 1961 Budget

Statement by Secretary Herter¹

I am grateful to the chairman and the members of the committee for the opportunity to appear this morning. In appearing in support of the Department's request for restoration of funds for fiscal year 1961, I am mindful of the words of the chairman at the opening of the Senate hearing 2 years ago. "When we deal with the budget," he said, "... we are dealing with the specifics of what our Government will do in the year ahead. The budget is not just a measurement of dollars; it is a measurement of effort."

Those words in today's context are much to the point. At the moment many things about the future are unclear, but this much is entirely clear: We are not in a time when we can afford to slacken our effort—in defense, in development, or in maintaining and strengthening the apparatus of American diplomacy.

The international climate today underlines the need for maintaining the unity and increasing the strength of our alliances. This requires, among other things, continuing diplomatic activity of a high order.

No less is the need for cooperation with and support of the newly developing countries. Here again our representatives abroad will play a central role.

And as President Eisenhower has made clear, we must also continue to do all we can to increase communications between ourselves and the Soviet Union and to resolve outstanding issues. For this purpose it appears that increased emphasis should now be placed upon traditional channels and procedures of international contact, rather than on more informal methods.

There is every indication, therefore, that pri-

ority demands will be made upon the Department of State and the Foreign Service in the year to come. Within these guidelines let me review our request for restorations in the budget.

For the fiscal year to come the Department originally requested slightly more than \$247 million. To this amount has since been added \$13 million to cover budget amendments which have been presented since the original request was made. This brings the total to \$262 million as shown on the tables before you.² This total is the lowest request of any of the major government agencies, substantially less than the cost of a single modern aircraft carrier, less than one third of 1 percent of the total Federal budget.

Considering the fundamental contribution the Department and the Foreign Service make to American security and the chance for peace, it seems to me this sum is exceedingly modest.

Furthermore the request itself was a conservative one. In preparing it we were fully mindful of the desire of the Congress that the Department operate as prudently and economically as possible. Perhaps our original request was too conservative. Time may even show that in our effort to keep our request for increases at a minimum we did not ask for enough to meet the urgent needs of our country in the field of foreign affairs during the critical year that lies ahead. In that event we shall, of course, ask for supplemental funds. In any case, it would appear that we failed to give the House committee an adequate picture of our needs.

The Department's appropriation as approved by the House is approximately \$23 million, or nearly 10 percent, below the Department's original request. Although the House bill provides \$1.5 million more for salaries and expenses than was

¹ Made before the Senate Appropriations Committee on June 21.

² Not printed here.

provided last year, the increase is far from adequate even to cover increases in mandatory costs such as the opening of new posts, overseas price and wage increases, the elevation of posts, and the Federal Employees Health Benefit Act contributions.

Furthermore, the Congress at this session has just passed a 1960 supplemental appropriation to enable the Department to meet certain unforeseen requirements for the current year, and many of those activities continue into fiscal year 1961.

Thus, if the House bill is allowed to stand there must inevitably be a slackening or hampering of the efforts of the Department of State and the Foreign Service during the coming year.

Downward Revision of Budget Figures

Despite the minimal nature of our original request, however, we decided not to ask the Senate to restore all the cuts made in the House. After a careful review we revised our figures downward, in an effort to take account of the attitude of the House and at the same time to discharge our responsibilities. In our letter of appeal, therefore, we requested a restoration of only \$11.6 million of the \$23.2 million reduction made by the House and 339 of the 532 positions not provided in the House bill.

I must confess that we revised our figures downward with considerable misgivings. Then after the outcome at the summit we again gave serious thought to the wisdom of asking for additional restorations.

But despite our keen disappointment at the outcome of the summit, and despite the propaganda campaign being waged against us, it appears that the basic conditions of the world situation have not so far been greatly changed. What is needed under present circumstances is not a drastic increase in the *quantity* of our diplomatic effort or a major change in its *direction*. What is demanded is that its *quality* and *continuity* be sustained and strengthened, and not impaired through skimping of needed financial support or by any other cause.

Certain developments, as I say, may require additional requests later. But we shall do our utmost to discharge our responsibilities within the fiscal and personnel framework of our present request to the Senate.

Let me outline the requested restorations.

Items Bearing on East-West Relations

First there are items which bear directly upon the future of East-West relations. The most important of these is the request for disarmament studies and staff.

Disarmament negotiations are continuing at Geneva, as you are aware, both those dealing with a possible nuclear test ban and those looking toward broader arms reductions. The prospects for early progress are, frankly, a bit uncertain at present. Nevertheless, discussions continue. The problems of disarmament are so important that we must exhaust all avenues in seeking meaningful, enforceable agreements. We must by every action demonstrate the continuing good faith of our side. We must by our preparations be ready to deal promptly and realistically both with technological change and with any eventual progress in negotiation.

The international exchange program, which makes an important contribution to unity and progress among the free nations, also has a direct impact on East-West relations. East-West exchanges are continuing and every effort must be made to support them. In the interest both of free-world unity, therefore, and of East-West communication, we are asking restoration of the full amount for international exchange.

Strengthening of Overseas Posts

A second category of restorations relates to the broadening and strengthening of our establishment overseas. The developments in communication and transport multiply contacts between the people and institutions of the United States and those of an increasing number of countries. This increases the burden on our diplomatic missions and consular offices. Furthermore the role which the United States is called upon to play in the world today makes it necessary for us to be kept fully informed of developments anywhere which might affect the prosperity, the stability, or the attitudes of the countries with which we deal. The responsibility for such reporting rests on our representatives abroad.

The most important of the restorations in this category relates to the opening and staffing of new posts in Africa, Asia, Latin America, and Europe, as political developments require, and the elevation of others to embassy status.

I want to note here that developments in Africa

are moving at such a rate that we may also find it necessary within a matter of months to elevate to mission status five posts in addition to those already proposed in the budget estimates. These would require supplemental funds.

Also important to the overall Department effort in the coming year are the restorations we have requested for funds to provide specialized attachés who strengthen our ability to evaluate trends overseas as they relate to the American national interest.

These would include labor attachés. Labor movements, as you are well aware, are among the most sensitive areas in the affairs of many nations today.

They include science attachés to evaluate and report on scientific developments in other countries in such matters as satellite tracking, deep-space probes, and joint activities in the Antarctic.

They also include additional commercial and related attachés to promote this nation's interest in international trade, travel, and investment.

Maintaining Efficiency of Department and Foreign Service

A third important area of restorations involves various items which make possible the continued day-to-day efficiency of the Department and Foreign Service and the well-being of its personnel. These include needed consular staff, training in the so-called "hard" languages, modernized communication facilities, improved support for existing staff, and proper completion of the new building here in Washington.

Included in this category also is a request for restoration of the full amount for representation. Every American Foreign Service officer, regardless of his rank or post, has certain expenses incident to establishing and maintaining the relationships necessary to his work. His full effectiveness depends upon these relationships. Representation funds do not pay all costs in this connection. The figure of our original request by no means covers our full needs. Even if this figure is granted, much of the needed representational activity either will not be carried on or will be conducted at the personal expense of our personnel abroad.

Without reasonable provision by the Congress for representation, therefore, those of our diplomatic and consular officers abroad who have no

private means will inevitably have their effectiveness reduced. It is not the intent of Congress that men and women without private means should be handicapped in Foreign Service. No well-run American private corporation denies its employees needed operating expenses. They could not afford to do so.

Tariff Negotiations

The fourth area in which we are requesting restoration has to do with the fifth round of international tariff negotiations under the General Agreement on Tariffs and Trade, to be held in Geneva starting in September. This conference will play a vital part in our effort to continue worldwide reduction of tariffs and other barriers to world trade. This is important both to the prosperity of the United States and the strength and stability of other free nations. The conference will also provide an opportunity we cannot afford to miss to develop from the outset a favorable relationship with the European Economic Community. We have requested a restoration of funds necessary for United States participation in the GATT conference.

Funds for Budget Amendments

In addition to budget restorations the Department has requested, as I noted at the beginning, funds for budget amendments submitted to the Congress since the regular budget submission. These requests are being presented initially to the Senate because of the shortness of time in this session.

These items will require an additional \$15,348,000 to provide for the acquisition of a Washington headquarters site for the Pan American Health Organization, United States participation in the Mexico-United States interparliamentary group, the presentation of a statue of George Washington to Uruguay, a payment to the Government of Japan to settle claims of the displaced residents of the Bonin Islands, and the development of a center for cultural and technical interchange between East and West in Hawaii. I am pleased to note that a number of members of Congress have expressed a particular awareness of the importance of this last project.

This completes my presentation on the budget this morning. The witnesses who follow me will furnish such details as the committee may require.

The central point we have borne in mind in preparing and reviewing our request for restorations is the degree to which freedom, prosperity—and survival itself—continue to depend upon the processes, and therefore upon the apparatus, of diplomacy. I turn to other words of the chairman, spoken 2 years ago, "At the moment, our future rests upon the shoulders of the diplomatic corps. If diplomacy fails, our future will rest upon other shoulders and no one can contemplate the result with a feeling of ease."

That, Mr. Chairman and members of the committee, is the thought we have in mind when we ask for your firm and full support, in the coming fiscal year, of the Department of State and the Foreign Service.

Secretary Replies to Senator Wiley on President's Missions Abroad

Press release 355 dated June 24

Following is an exchange of correspondence between Secretary Herter and Senator Alexander Wiley, ranking minority member, Senate Foreign Relations Committee.

Secretary Herter to Senator Wiley

JUNE 24, 1960

DEAR SENATOR: I welcome your inquiry about my testimony of June 21 before a Subcommittee of the Senate Committee on Appropriations. The articles to which you refer correctly report my words; the implications and interpretations drawn within and outside the Committee are grossly misleading.

You recall the chronology of the Japan visit. Before the Soviets withdrew their invitation to the President to visit their country, the President had firm plans to visit not only the Soviet Union but also Japan and Korea. The President had been publicly invited to visit these countries. He had publicly accepted. These arrangements were crystallized well before May 23 when the President returned from Europe and the disturbances in Japan first began to assume troublesome proportions. Thereafter there were constant reassessments of the developing situation, so that our information remained as current and accurate as possible, but always with the President maintain-

ing this position—that having accepted this invitation he could not and would not fail to go until and unless the Japanese Government should themselves cancel or postpone his visit. It is neither in the character of the President nor in the true spirit of America to turn and run when trouble looms ahead.

Perhaps, had the Japanese Government realized before our President left the United States that the domestic turmoil would reach menacing proportions, they would have withdrawn their invitation earlier. But this I emphasize: the President would definitely have proceeded, these disturbances notwithstanding, had the invitation not been withdrawn.

In world affairs one cannot advance from a premise that when difficulties threaten, carefully prepared plans should be timorously set aside. In foreign affairs the calculated risk is as key a factor as in military affairs. The President is deeply sensitive to this fact. All of us need to be.

I deeply believe, in retrospect even, that the President moved soundly and wisely for America in proceeding with his trip to Japan despite the manufactured disturbances—that he properly relied upon his host, the Japanese Government, to decide whether or not the trip should be deferred—and that, regrettable though the rioting in Japan turned out to be, it smacks a bit of the hypercritical to say now, after the fact, that our friends in Japan should have discerned in advance what befell them, and that their failure to do so somehow becomes now an American lapse. I believe quite as deeply that it would have been a grave disservice to the cause of freedom in the Far East had the President canceled his trip to Japan after having accepted the invitation to come. Others holding different views are, of course, entitled to hold them. My own opinion is that had the President himself canceled this journey in these circumstances, the present disposition of some to view critically the subsequent events would have become, instead, an avalanche of virulent abuse both at home and abroad.

In summary, and as I sought repeatedly to emphasize to the Committee, it was an important and a necessary trip; it was blocked by violent methods which, feeding upon themselves, ultimately reached unmanageable proportions; the disturbances were a communist tactic; and, finally, until the Japanese Government withdrew its invitation, the President was determined to go.

July 11, 1960

As for Presidential missions abroad, you are correct that excepting the Summit Conference, these have not been diplomatic ventures but rather have been missions of good will. As such they have been extraordinarily successful, so much so that the Soviet Union and communist influences in Japan were driven to extreme lengths to block their continuance. I believe the world will not fail to measure well the import of desperate communist contortions to keep America's symbol, so magnificently presented abroad by President Eisenhower, from entering the heartland of the Soviet Union and Japan.

Efforts to belittle the value of the President's goodwill missions are, in my opinion, completely unjustified. Those who have witnessed his reception in a score of nations will bear testimony to the fact that he, as an individual and as President of the United States, is beloved and respected by free people everywhere to a degree unmatched by almost any other man in history. By their actions the communists have clearly revealed to the entire world that they know this well.

I warmly appreciate the motivation of your letter.

Most sincerely,

CHRISTIAN A. HERTER

The Honorable
ALEXANDER WILEY,
United States Senate.

Senator Wiley to Secretary Herter

JUNE 23, 1960

DEAR MR. SECRETARY: You know that the Press has been highlighting statements attributed to you to the effect that State Department information and judgment in respect to the President's trip to Japan were faulty. I personally don't believe these statements, though at first I was taken aback by the same.

Now what is the fact? Did the State Department have inadequate and inaccurate information on the subject as to the extent of the Japanese riots, and was the Department's judgment as to the advisability of the trip faulty?

I thought that David Lawrence in the *Evening Star* of Thursday, June 23rd had the straight facts on that subject when he said:

The invitation was extended at a time when Nikita Khrushchev was on friendly terms with the United States and long before the events occurred that started the Soviet Premier and his agents on a tactic of demonstrations unfriendly to America. But then, it is asked, why couldn't the President have cancelled the trip immediately after the "summit" conference in Paris collapsed? If he had done so, he would have disappointed the peoples of the Philippines, Formosa and Korea. He could, on the other

hand, hardly have gone to some Far Eastern countries allied with us and not to Japan. Mr. Eisenhower was ready to take the risks, but the Japanese government finally admitted that it might not be able to control the mobs.

I have seen also, Mr. Secretary, that it is asserted that the President has been engaging in "personal diplomacy" throughout the world to the detriment of traditional diplomatic relationships. One article before me states that you concede that such trips will be discontinued in the future, thereby implying that such trips have been undertaken in the past. My understanding has been that, with the obvious exception of the recent Summit undertaking, the President has been engaged upon missions of good will, not diplomatic negotiations. Is this correct?

I have raised these points, Mr. Secretary, because of the contrived clamor, political and otherwise, over alleged planning, informational and judgment errors in the field of foreign relations. Having probed into the details of foreign policy for many years and having closely observed recent international developments, I believe that the words attributed to you are being distorted. Nevertheless, I would like your own assessment.

Sincerely,

ALEXANDER WILEY

The Honorable
CHRISTIAN A. HERTER

110 American Teachers Participate in Summer Seminars Abroad

The Department of State announced on June 21 (press release 341) that 110 American secondary school and college teachers of foreign languages, the classics, and social studies are spending part of the summer abroad this year in order to become better acquainted with the languages, literature, peoples, and cultural heritage of five foreign countries. The teachers are participating in special seminars in Brazil, Colombia, France, Germany, and Italy under the educational exchange program of the Department of State.

The teachers have been chosen to take part in the seminars through nationwide competitions administered for the Department of State by the U.S. Office of Education. The seminars and the cost of the teachers' round-trip travel are being financed with currencies of the host countries that have accrued to the U.S. Treasury as the result of war surplus purchases or loan repayments and are being conducted under the authority of Public Law 584, 79th Congress, the Fulbright Act.¹

¹ For a summary of the seminars by country and a list of the participating teachers, see press release 341.

The Antarctic Treaty

*Statement by Herman Phleger*¹

The opportunity to appear before your committee in support of the Antarctic treaty is deeply appreciated. I believe this treaty is in the best interests of the United States. Beyond that it is a significant step forward in international cooperation in the field of peace, disarmament, and scientific cooperation.

The Antarctic treaty was signed at Washington on December 1, 1959, at the termination of the Conference on Antarctica, which was convened at United States initiative.

On May 2, 1958, the United States invited 11 other states to take part in a conference to draw up a treaty concerning the future of the vast Antarctic Continent.² The 11 countries invited were those which, with the United States, had participated in the Antarctic programs of the International Geophysical Year, namely Argentina, Australia, Belgium, Chile, France, Japan, New Zealand, Norway, the Union of South Africa, the Soviet Union, and the United Kingdom.

The United States has long had important interests in Antarctica. Its explorers and scientists have discovered and mapped large areas of the continent. While the United States had never made a claim of sovereignty, it frequently reasserted its interests and has not recognized the claims of seven other states which had asserted claims to sovereignty over large areas, several of them overlapping. Commencing in 1956 the Soviet Union moved in with scientific expeditions and has since engaged in extensive operations. It

does not recognize the validity of any claims to sovereignty in Antarctica.

In preparation for the conference and as a result of this United States initiative, talks were held in Washington over a period of a year and a half among representatives of the 12 countries concerned. These meetings paved the way for the negotiation of the treaty at the conference. The conference convened in Washington on October 15, 1959, and terminated on December 1 with the signing of the treaty, which incorporates the main objectives of the United States.

I served as United States representative and head of the United States delegation to the Conference on Antarctica. Ambassador Paul C. Daniels was alternate representative. Mr. George H. Owen of the Department of State also served as alternate representative.

The Honorable Frank Carlson, Senator from the State of Kansas, and the Honorable Gale W. McGee, Senator from the State of Wyoming, served as congressional advisers to the delegation.

Captain Eugene W. Davis, USN, representing the Department of Defense, was a member of the delegation and participated in its deliberations.

Dr. Larkin H. Farinholt, Deputy Science Adviser of the Department of State, also was a member of the delegation. At the request of the Department of State the National Academy of Sciences appointed a committee of seven distinguished scientists, headed by Dr. Laurence M. Gould, to advise the United States delegation. This committee included Dr. Francis W. Reichelderfer, Dr. Lloyd V. Berkner, Dr. Merle A. Tuve, Dr. Harry Wexler, Dr. John C. Reed, and Mr. Albert P. Crary.

Mr. Alan F. Neidle of the Legal Adviser's Office of the Department of State served as legal adviser of the delegation.

¹ Made before the Senate Foreign Relations Committee on June 14 (press release 324). Mr. Phleger was head of the U.S. delegation at the Conference on Antarctica, which convened at Washington Oct. 15, 1959. For background and text of the treaty, see BULLETIN of Nov. 2, 1959, p. 650, and Dec. 21, 1959, p. 911.

² *Ibid.*, June 2, 1958, p. 910.

Importance of Inspection Provisions

One of the important provisions of this treaty is the provision, in article I, that Antarctica shall be used for peaceful purposes only. This stipulation that a continent greater in extent than the United States and Europe will be used for peaceful purposes only is implemented by an unlimited unilateral right of inspection, set forth in article VII, which includes the right of overflight at any time.

The treaty's provision for inspection has great significance. It will not only serve to protect the parties against any violation of the treaty but should also prove a valuable source of practical experience in the detailed processes of international inspection. As you know, the unwillingness of the Soviet Government to accept an effective inspection arrangement has thus far been the principal stumbling block to successful negotiations on such vitally important matters as nuclear testing, surprise attack, and general disarmament. While the inspection provisions of the Antarctic treaty apply to an area where neither the Soviet Government nor the United States claims territorial sovereignty, it is nevertheless important that an agreement has been reached to conduct practical inspection operations in this area. This right of inspection includes the right to inspect ships, aircraft, and stations and also the right of overflight, comparable to what President Eisenhower proposed earlier as his "open skies" plan of inspection. In this connection it would appear unfortunate if the United States Government should hesitate to ratify the first international agreement affording an unlimited right of inspection.

Article II of the treaty provides that the freedom of scientific investigation and international cooperation in science, which were so successful during the International Geophysical Year, shall be continued, subject to the provisions of the treaty. Under article III of the treaty the parties agree to promote international cooperation in scientific investigation in Antarctica in the manner in which this has, in fact, been done during the past several years.

The difficult question of territorial claims, which have been made in Antarctica by seven countries, is in effect held in *status quo* during the duration of the treaty by article IV, which provides that nothing in the treaty shall be interpreted as a renunciation or recognition of claims

or bases of claims to territorial sovereignty in Antarctica. The United States has not asserted any claim to territorial sovereignty in Antarctica. Nor has the United States recognized any claims made by others there, but has consistently reserved all of its rights throughout the whole of Antarctica.

These rights and interests are substantial and are based on a long record of discovery, exploration, and other activities. The article on claims represents a mutually acceptable solution to a difficult problem on which agreement was reached by both claimants and nonclaimants only after long and careful consideration and negotiation. This holding in *status quo* for the duration of the treaty of the question of claims will permit cooperation in scientific and administrative matters to be carried out in a constructive manner without being hampered or affected by rivalry regarding the question of claims.

Another provision of the treaty is its prohibition in article V of nuclear explosions and the disposal of atomic waste in Antarctica, pending general international agreement on this subject. This provision is of great importance to the Southern Hemisphere signatories, who live in much closer proximity to Antarctica than we do and where there is great public concern over the possible effect of radioactive fallout. As you know, the prevailing winds blow northward from the south polar regions.

Membership, Jurisdiction, and Disputes

Accession to the treaty (article XIII) is permitted to any member of the United Nations, and any other state invited to do so with the unanimous consent of all the contracting parties which either were original signatories or are active in Antarctica. By these means additional states may acquire the rights and assume the obligations of the treaty. It is hoped that there will be widespread accession to the treaty, thus strengthening its status in the realm of international law.

Article VIII deals with certain aspects of the problem of jurisdiction over persons in Antarctica. It is provided, without prejudice to the basic position of any contracting party concerning jurisdiction over persons in Antarctica in general, that persons designated as observers in implementation of the provision on inspection and scientific personnel exchanged under programs of scientific co-

operation are subject only to the jurisdiction of the country of which they are nationals. This is important as making more effective the provisions regarding the right of inspection.

Article XI deals with the settlement of disputes arising among parties to the treaty, concerning its interpretation or application. It provides that the parties shall seek to solve such disputes by peaceful means and that, with the consent of all parties to a dispute, the dispute be referred to the International Court of Justice.

Article IX provides for consultative meetings of the treaty parties. Under this article representatives will meet periodically to consult on matters of common interest and to consider and recommend measures in furtherance of the principles and objectives of the treaty. The participants at these meetings will be all of the original signatories and, in addition, those acceding states during such time as they demonstrate their interest in Antarctica by conducting substantial scientific research activity there. The measures recommended will not be effective until unanimously approved by the treaty parties, but it is specifically provided that any party may exercise any right given it under the treaty without further approval by the other parties.

The treaty is of indefinite duration but may be amended at any time by the unanimous agreement of the consultative parties. After 30 years amendments may be proposed by majority agreement, and if not agreed within 2 years any party may withdraw on 2 years' notice.

This treaty does not settle all of the problems of Antarctica for all time, nor does it attempt to do so. It does, however, represent a significant advance in the attempt, based on United States initiative, to bring some form of international order to a large area of the earth's surface where none has existed heretofore.

Summary of U.S. Objectives

The main objectives of our Government in negotiating this treaty may be summarized as follows:

First, to prevent the use of Antarctica for military purposes and to assure that this continent should continue to remain an area where only peaceful activities are pursued. As regards this objective, article I stipulates that Antarctica shall be used for peaceful purposes only and that all measures of a military nature there are forbidden.

Of course, we know that agreements prohibiting military activity in a certain area must necessarily be complemented by some system of effective control in order to assure their observance. Now, in this treaty, the provisions of article VII which I have outlined establish sweeping, immediate, and unilateral rights of inspection pursuant to which U.S. observers may go anywhere throughout Antarctica at any time. In addition, there are established absolute, unrestricted rights of overflight for aerial observation.

Second, to continue the valuable scientific investigation throughout Antarctica which our scientists have been engaged in for the past several years and to promote the continuation of international cooperation for the purpose of such scientific investigation among the parties to the treaty, in the manner that was instituted during the International Geophysical Year. In this regard, article II of the treaty provides that scientific investigation and cooperation to that end, as practiced during the International Geophysical Year, will continue, subject, of course, to the provisions of the treaty.

Third, to eliminate controversies arising out of territorial claims asserted in Antarctica and to eliminate, insofar as possible, any political rivalry which accompanies them. In this regard article IV provides a mutually agreeable solution to a delicate problem, and, in particular, by expressly establishing that activities conducted in Antarctica while the treaty is in force shall not constitute a basis for assertion or enlargement of a claim, it discourages activities motivated by political rivalry and facilitates continued scientific investigations unhampered by problems of this kind.

Finally, to establish a system of continuing consultation among the governments of countries actively engaged in scientific investigation in Antarctica. In this regard article IX provides for periodic meetings at suitable intervals for consultation on matters of common interest and for the consideration of measures recommended in furtherance of the principles and objectives of the treaty. This provision is designed to perpetuate the spirit of cooperation among the nations active in the Antarctic and to provide machinery for dealing with problems and opportunities in the Antarctic which only time will disclose.

Secretary of State Herter declared in his report

to President Eisenhower on February 4³ that the Antarctic treaty is a substantial achievement and that its ratification will further peaceful cooperation in the attainment of scientific progress in an entire continent. He also declared that this treaty, based on the will to maintain peace in an important area of the world, should be ratified because it is in the best interests of the United States and of all mankind.

In conclusion I point out that this treaty was conceived by the United States, the conference which drafted it was called at the instance of the

United States, and the treaty contains all the provisions which the United States conceived were required for the protection of its national interest. It is also a significant step forward in the field of international cooperation for peaceful purposes.

Because of the fact of United States initiative, it cannot be expected that other parties will ratify this treaty until the United States has first acted. It is therefore important that the United States act promptly so that the other parties may act and the treaty, with its benefits, go into effect at an early date.

Department Supports Industrial Property Convention Revision and Commercial Treaties With Pakistan and France

Following are two statements presented by Edwin M. Martin, Deputy Assistant Secretary for Economic Affairs, on June 21 to the Senate Foreign Relations Committee, one in support of the Lisbon revision of the Convention for the Protection of Industrial Property and a congressional resolution authorizing U.S. contributions to the administering bureau, and the other in support of a treaty of friendship and commerce with Pakistan and a convention of establishment with France.

INDUSTRIAL PROPERTY CONVENTION

Press release 336 dated June 21

Mr. Chairman, I am appearing in support of the Convention of Paris for the Protection of Industrial Property of March 20, 1883,¹ as revised at Lisbon in October 1958. The convention has previously been revised four times. The revised convention was transmitted to the Senate by the President on February 17, 1960.² The United States was a party to the original convention and became a party to the four later revisions. Under

the convention's provisions, the United States and the other 49 member countries are constituted into an International Union for the Protection of Industrial Property. They are parties to one or more of the last three revisions, which are currently in force.

The Secretary of State, in his report to the President in February of this year, stated that United States participation in the new convention will not only significantly improve the protection in this field accorded United States private interests abroad but will also insure continuing and sound cooperative relations with the other 49 countries that are parties to one or more of the revisions of the convention presently in force.

Background of Industrial Property Convention

The industrial property convention, with the revisions presently in force, is the major inter-governmental instrument assuring protection of industrial property rights of United States nationals abroad, namely, patents, trademarks, designs, commercial names, and related rights. It is based on two important underlying principles: that of national treatment and that of the extension of special rights or advantages. Under the national treatment principle, each member government is required to extend to nationals of other member countries the same protection and

¹ For text, see S. Ex. B, 86th Cong., 2d sess.

² 38 Stat. 1645, 47 Stat. 1789, and 53 Stat. 1748.

³ S. Ex. D, 86th Cong., 2d sess.

rights which it grants to its own nationals in this field. Under the second principle, each country is required to provide certain rights or special advantages for other members' nationals, one of the most important of which is the right of priority for foreign patent applicants. Such applicants have a 1-year period, from the date of filing of the first application in their own country, in which to file corresponding applications which are given the benefit of the date of the first filing and receive protection thereon in other member countries.

Prior to the adoption of this international arrangement in 1883 there were no internationally uniform grounds for industrial property protection and inventors sometimes encountered almost insurmountable obstacles in efforts to protect their inventions in various foreign countries. This situation was markedly improved when the industrial property convention, which was negotiated and signed in Paris in 1883, came into force the following year. The United States, which was not one of the original members, acceded to the convention in the spring of 1887. After 1883 there were four successive revisions prior to the Lisbon conference of 1958. The United States became a party to each of these four revisions, which brought about significant improvements in the convention's protective framework. The changes which were made over the years strengthened and made more effective the patent and trademark protection to be afforded nationals of member countries.

During the 76 years of the convention's existence, additional countries have become parties to one or more of its revisions, bringing the current total to 50. Practically all of the important industrial and commercial countries are members, with the exception of the Soviet Union.

New Revision Adopted in 1958

The latest conference of revision at Lisbon was attended by representatives of 40 member countries and by observers from 9 additional countries as well as numerous intergovernmental and private organizations. Thirty member countries signed the revised convention at the conference, as did one nonmember country. Two other member countries signed at a later date.

The conference considered a large number of proposals for revision of the convention which had been submitted by governments as well as leading

international organizations interested in this field. It eventually adopted some changes in all but 5 of the 19 existing articles of the convention. Six new articles were added.

One of the chief accomplishments was a complete rewriting of the basic provisions concerning the protection of trademarks in such a way as to increase substantially the protection accorded for the trademark rights of nationals of member countries. For example, under the provisions adopted at Lisbon, an American national now clearly may register a trademark in any member country by complying with the formalities of such country without having to prove the existence of a registration in the United States.

Further, the conference was able to agree on the inclusion of a requirement that all countries grant protection to industrial designs. It also included in the convention for the first time specific reference to the protection of trademarks associated with services, as distinct from those used to identify goods.

A longstanding deficiency in the convention has been the lack of machinery for interim meetings by the member governments between conferences of revision to study and discuss problems arising under the convention and to supervise more closely the operations of the International Bureau, presently located at Bern, which administers the convention. One of the most significant steps taken at the conference, therefore, was to include in the revised convention a provision for regular triennial meetings of representatives of the convention members. This will enable such representatives to discuss more frequently than in the past common problems respecting the administration of their respective patent and trademark laws in relation to their convention obligations. They will also be in a better position to coordinate the preparatory work and resolve administrative details in connection with future conferences of revision.

Support for the Convention

Leading business and professional groups in the United States interested in the industrial property rights field worked closely with United States Government representatives preparatory to the adoption of instructions to the United States delegation to the Lisbon conference. These groups included, among others, the American Patent Law Association, the American Bar Association, the

International Patent and Trademark Association, the United States Trademark Association, the National Foreign Trade Council, and the United States Council of the International Chamber of Commerce. The delegation also included three leading private patent and trademark attorneys as advisers, namely, Mr. Albert R. Teare, president, International Patent and Trademark Association; Dr. Stephen P. Ladas of the law firm Langner, Parry, Card, and Langner of New York City; and Mr. John D. Myers of Philadelphia.

The Department is not aware of any leading business or professional group that is opposed to the United States' becoming a party to the revision adopted at Lisbon. Further, it is known that the new convention has received the specific approval of some of the most important organizations interested in this field, as, for example, the National Foreign Trade Council, the United States Council of the International Chamber of Commerce, and the Patent and Trademark Section of the American Bar Association.

In the Department's opinion the new convention merits this strong support because of the improvements which it will effect in the international system for protecting industrial property rights. In this connection it might be noted that the convention is not designed to replace existing international agreements of a regional nature in this field.

As to the implementation of the latest revision, under the terms of article 17 it is clear that the new revision is not self-executing; that is, its ratification would not by itself modify our domestic law. Any changes in the United States patent or trademark laws that are necessary to apply the provisions of the new revision must be enacted by the Congress. A draft bill for this purpose was transmitted to the Senate on March 7, 1960, and referred to the Committee on the Judiciary. A similar bill, H.R. 11070, is currently before the House Committee on the Judiciary. Only a rather minor change in the United States patent and trademark laws will be needed in connection with the new revision. It will be necessary to amend the patent and trademark laws to permit applicants to claim their right of priority in the United States not only from the date of their first filing but also from the date of a subsequent filing in a member country should the first filing be withdrawn under certain specified conditions. The United States instrument of ratification will not be

deposited until after the above-cited bills embodying these changes are enacted. This treaty creates no problem with regard to Federal-State relations.

Improved Relations in Industrial Property Rights Field

It is the view of the Department of State that United States acceptance of the new revision will significantly improve the protection in this field accorded to United States private interests abroad. Such acceptance will also set an excellent example for other countries who are considering adherence to the new revision. Finally, United States participation in the new revision will insure that our relations with the other 49 countries which are parties to one or more revisions will continue on a sound basis in this important field of industrial property rights protection.

For these important reasons the Department is firmly convinced that ratification of this new revision is highly desirable. It therefore strongly endorses the new revision and implementing legislation.

U.S. Contributions to International Bureau

Mr. Chairman, I also wish to comment on another important matter related to the industrial property convention; that is, Senate Joint Resolution 149 to authorize certain contributions incident to United States participation in the International Bureau, which administers this convention. House Joint Resolution 627, which is identical to this Senate resolution, was approved by the House on June 6, 1960.

The International Bureau, which is located in Bern, Switzerland, is supervised and staffed by the Swiss Government. The Bureau draws its financial support from contributions paid by the member governments in accordance with the relevant provisions of the convention. The Bureau performs special functions on behalf of the convention members, including the preparatory and administrative work of the conferences of revision and the collection and distribution of specialized information in the international industrial property rights field. It has been used to great advantage by the United States as a forum for encouraging other governments to afford protection for the patent and trademark rights of American inventors and businessmen comparable to that which they enjoy in the United States.

Request for Payment of Arrearages

The convention, as currently in effect, provides that the budget of the Bureau shall not exceed 140,000 Swiss francs, approximately \$33,000 per annum. On this basis the United States share is 7,500 Swiss francs, about \$1,767, or slightly over 5 percent. The convention further provides that the budget maximum may only be increased by a unanimous decision of a diplomatic conference of the member states. Late in 1947 the Swiss Government, on behalf of the Bern Bureau, attempted to raise the budget ceiling in order to meet the higher administrative costs of the organization. Instead of calling a diplomatic conference, the Swiss Government circulated a diplomatic note to member governments asking that the budget ceiling be raised. The ceiling was in fact subsequently raised, and by 1949 virtually all the members were contributing at a higher budget level except the United States. The United States maintained that, in the absence of congressional authorization, it could not contribute at this higher level because the new budget ceiling had not been established in accordance with relevant provisions of the convention (article 13(6)). This article provides that increases in the budget ceiling are to be made by unanimous decision of the member governments at a diplomatic conference of revision. The sum of \$10,514 (approximately 45,000 Swiss francs) requested in Senate Joint Resolution 149 constitutes the difference between the amounts we have already paid on the basis of the convention limitation and the amount we would have paid had we been able to contribute on the same basis as the rest of the membership of the Bureau.

Request for an Increase in Future Annual Contributions

The Bureau is now operating within a ceiling of about 235,000 Swiss francs, which has proven inadequate for the Bureau's administrative work under the convention. The Bureau has covered its additional costs by utilizing credits extended by the Swiss Government, as the Administering Authority, and funds received for rendering certain international trademark and design registration services which it performs for approximately 20 governments, under other conventions to which the United States is not party. Based on the Bureau's expenditure for administering industrial

property convention activities, it is estimated that the Bureau will require a future budget of 588,000 Swiss francs (approximately \$138,000).

At the 1958 conference of revision at Lisbon, the United States supported a proposed resolution to raise the budget ceiling to 588,000 Swiss francs and also to amend the provisions of the convention so as to permit periodic revisions of the budget ceiling without the need of a diplomatic conference of revision. However, the Soviet bloc countries that were present opposed these proposals on the grounds that since East Germany had not been invited as a member country nothing could be approved in its absence, thus making unanimity on this issue impossible. Soviet bloc compromise solutions were so worded that approval could have been construed as an acceptance of the argument that East Germany should have been present. This was entirely unacceptable to the West German and United States delegations, and unanimous agreement was not possible.

As a compromise, the conference finally adopted a resolution, which invites

The countries of the Union to raise their contribution, beginning on the 1st of January 1955, in order to bring the funds of the International Bureau to the amount of 600,000 Swiss francs annually.

The United States annual share, calculated on the basis of this new amount would be approximately \$7,250. We have informed the Bureau that it would be advised in due course whether or not this Government would be able to accept the invitation to increase its contribution. The most recent information available to us shows that 34 countries have already responded affirmatively to this resolution.

Mr. Chairman, we believe that there was ample justification for the Bureau's requesting increased contributions from its members as a result of the expanded operating costs during the postwar period, based on a higher budget ceiling than contained in the convention revision of 1934. The United States is the only country still paying on the 1934 basis. In the meantime we have continued to receive the additional benefits from the Bureau's activities without having paid what could be considered our proportionate share of the costs. It is thus considered in the best interests of the United States to make the contributions constituting the difference between the annual amounts paid for the United States fiscal years

1950-59 and the amounts it would have paid based on the Bureau's actual costs of operation for these years. It is also our view that the activities of the Bureau should be continued at least at the same level. Finally, the benefits accruing to the United States warrant our acceptance of the invitation embodied in the 1958 resolution to raise our future annual contribution to the Bureau so that there is no impairment of the Bureau's activities and programs. The Department, therefore, recommends that this committee give favorable consideration to Senate Joint Resolution 149.

TREATIES WITH PAKISTAN AND FRANCE

Press release 340 dated June 21

I am appearing before the committee in support of the treaty of friendship and commerce with Pakistan³ and the convention of establishment with France.⁴ These treaties, although differing from other agreements of the type as to official designation and somewhat as to content, are units in the series of commercial treaties initiated by this Government shortly after the Second World War. They constitute, respectively, the 18th and 19th signed treaties in this series.

These treaties, aside from certain omissions, conform to the general pattern of the usual United States commercial treaty, numerous examples of which have received Senate approval in recent years. Their broad objectives are the same: to encourage investment and commerce and to provide an agreed basis for the protection of American citizens, their property, and other interests in foreign countries. Their provisions are based upon existing precedents and contain no innovations raising problems as to their effect upon domestic law.

What are regarded as the principal features of these treaties are referred to in the report of the Secretary of State that accompanies each treaty. To supplement and amplify that material the Department has prepared a paragraph-by-paragraph summary,⁵ which indicates the very considerable degree of correspondence between the provisions of these treaties and provisions in the Treaty of

Friendship, Commerce and Navigation between the United States and the Netherlands, signed March 27, 1956, approved by the Senate July 11, 1956,⁶ and now in force. I offer this tabulation for the record. I also offer for the record an up-to-date list⁷ of the commercial treaties negotiated under the current program and of commercial treaties negotiated prior to the initiation of the current program and now in force.

Treaty of Friendship and Commerce With Pakistan

The treaty with Pakistan is regarded as falling particularly within the terms of congressional policy expressed in section 413 of the Mutual Security Act of 1954, as amended. That section provides that the President

... shall accelerate a program of negotiating treaties for commerce and trade ... which shall include provisions to encourage and facilitate the flow of private investment to ... nations participating in programs under this Act.

Pakistan has long participated extensively in such programs. The aim of the treaty is to help to assure conditions favorable to foreign private investment.

The signature of this treaty is only one of a number of steps recently taken by the Government of Pakistan looking to promotion of the economic development of the country. Others include a treaty for the avoidance of double taxation, an investment guaranty agreement, and several domestic measures, of which special mention may be made of provision for the exemption, in certain circumstances, of new investment from taxation for a period of years. The completion of this treaty would seem to add a fitting keystone to the steps the two countries have taken in cooperation to give Pakistan a satisfactory basis for economic growth. It is hoped that acceptance of the treaty by Pakistan will facilitate negotiations for similar treaties with other countries in southern Asia.

Convention of Establishment With France

France, of course, being a highly industrialized country, is not now in great need of the basic requirements of economic development. It can

³ S. Ex. F, 86th Cong., 2d sess.

⁴ S. Ex. G, 86th Cong., 2d sess.

⁵ Not printed here.

⁶ For text, see *Treaties and Other International Acts Series* 3942.

stitutes, however, an attractive field for the establishment of American investment and trading enterprises, and a growing group of French enterprises operate in the United States. The treaty provides the type of assurances that are regarded as advantageous to such enterprises. In this connection may be mentioned especially the matter of rights of employment, particularly of personnel essential to an enterprise. Heretofore, in the absence of a commercial treaty, French enterprises in the United States have not enjoyed the advantages provided by the immigration act with regard to treaty-traders and treaty-investors. France does not, of course, restrict immigration in the same manner as the United States. Entry into France is relatively free, but employment of aliens is highly restricted through a system of work permits. In the provisions of the treaty and the accompanying joint declaration, a sincere effort has been made to assure that Americans will be able to obtain work permits in France to an extent fully commensurate with the rights of entry and employment that accrue to French nationals under the Immigration and Nationality Act.

Two other aspects of the convention with France are worthy of note. First, the establishment of the European Economic Community has given rise to concern as to the possibility of preferential treatment of the interests of member countries, to the disadvantage of the interests of nonmembers. The Rome treaty contemplates the extension by each member state of a considerable degree of national treatment to enterprises established under the laws of other members. Therefore treaties such as this convention with France, which assure national treatment to United States enterprises with respect to establishment and the carrying on of a wide range of activities, should have the effect also of contributing to favorable treatment of certain types of United States enterprises throughout the Community. Moreover, the United States will have, upon the completion of this treaty with France, treaties with the four largest members of the Community (the others are Italy, the Federal Republic of Germany, and the Netherlands) which contain extensive assurances of nondiscriminatory treatment for American enterprises.

The other aspect has to do with this Govern-

ment's policies directed to reaffirming and strengthening the principles of international law concerning the property rights and other rights of aliens. Persons concerned with the problems of foreign investment, not only in this country but throughout the world, are disturbed at the lack of respect shown for private property interest from time to time in many areas. Treaty assurances are widely regarded as an important means of preventing such disrespect. The formal endorsement by France of the property-protection rules expressed in our treaties, particularly that regarding just compensation for property taken for public use, serves as a significant and timely reinforcement of our own efforts in this regard. We cannot consider subscription to these principles as a duty of the less developed countries alone; the readiness of the more developed countries to set a good example by incorporating these rules in agreements between themselves is a very important consideration in establishing them as worldwide standards of conduct.

Principal Omissions From Treaties

I should now like to refer briefly to the principal omissions I mentioned at the beginning of my statement. Neither of these treaties contains provisions on shipping. Such provisions are to be found in all the other treaties in the current series, but there are precedents for such omissions in earlier agreements. In the case of Pakistan we are dealing with a young nation that has not yet settled fully its policies on all matters related to international relations. One of the country's serious problems concerns transportation and communications between East Pakistan and West Pakistan. Government officials in Pakistan have taken the position that it would be advantageous to their country if a common coasting trade could be established for Pakistan, India, and Ceylon, in which vessels of all three countries could participate on equal terms but with vessels of all other countries excluded. They wished to include a reservation in the treaty to permit such an arrangement. According to U.S. policy, such a system would constitute discrimination in international trade, and it was felt that such a reservation would establish an undesirable precedent in our treaties. Hence it was decided to omit the shipping provisions. Pakistan does not now discriminate against

foreign shipping in any way, except to favor national vessels in the coasting trade when such vessels are available.

In the case of France, certain existing arrangements favor French national shipping. An agreement with Tunisia limits trade between the two countries to Tunisian and French vessels, thus continuing the situation prevailing before Tunisian independence. In addition, French vessels are favored in the importation of a very limited number of commodities into France. The French Government concluded that it could not undertake to abandon these arrangements at the present time. Again, in order to avoid seeming to compromise with discriminatory practices, the Department concluded that it would be best to drop navigation provisions from the treaty. Representatives of United States shipping interests have in the past advised the Department that they preferred no treaty commitments on shipping to commitments that departed in any way from the usual assurances of nondiscrimination. It is understood that the French practices above referred to do not in fact affect injuriously United States shipping interests at the present time and that the French Government, through the Organization for European Economic Cooperation, has joined in a policy of not extending existing discriminatory practices.

There have also been omitted from the treaty with France the reciprocal commitments to accord most-favored-nation treatment to imports and exports and the usual ancillary provisions relating to trade in goods. These provisions in our treaties are comparable to provisions in the General Agreement on Tariffs and Trade and are consequently not regarded as essential in treaties with countries that are parties to the general agreement, as is the case with France. Along with other governments in Western Europe, the French Government is much preoccupied with developments in connection with the European Economic Community and is reluctant to enter into long-term engagements on trade matters for fear of resulting difficulties for the European integration plans. A similar attitude was encountered in the Netherlands negotiation in 1955-56 but was satisfactorily solved through a special arrangement incorporated in an exchange of notes. This type of solution was not acceptable to the French, and it was mutually agreed not to attempt to negotiate new trade provisions in connection with this treaty.

Presidential Authority Sought To Reduce Sugar Quotas

Statement by Secretary Herter¹

The administration's recommendations for amendment on the Sugar Act were submitted to the Speaker of the House of Representatives and to the Vice President on March 15, 1960, by the Acting Secretary of Agriculture. Very few changes were recommended. These recommendations included a 4-year extension and certain technical changes in the act which were designed to make the Sugar Act operate more smoothly and effectively.

In addition the Congress was asked to delegate to the President authority to reduce the quota of any country other than the Republic of the Philippines (whose quota is established by treaty) when he found it necessary to do so in the national interest or to insure adequate supplies of sugar. The Secretary of Agriculture, who administers the Sugar Act, and the Secretary of State, who must consider the effect which any change in domestic legislation may have on our international commitments, were agreed that such authority was necessary under existing circumstances.

The primary reason for requesting this grant of interim authority to adjust quotas was to safeguard consumers in this country from possible interruptions in supply and fluctuations in price. I need not tell you that our concern was with conditions in Cuba. Under the terms of the Sugar Act presently in effect Cuba enjoys a quota of 3,119,655 tons, or approximately one-third of the total United States requirements for sugar, currently estimated at 9,400,000 tons for 1960. In addition the present law provides that the Cuban quota be increased if deficits are declared in the domestic areas, as now appears certain. This is a very large proportion of our total sugar supply.

In the past Cuba has been a dependable source, responsive to United States needs and responsible in situations of emergency. Cuban production in recent years, approximately 5,800,000 tons in 1958 and 6,000,000 tons in 1959, has been more than adequate to meet the needs of the United States and to supply Cuba's traditional world markets. It

¹ Made before the House Committee on Agriculture on June 22 (press release 343).

should be noted that, for most of the time since the Sugar Act went into effect, the price received by Cuba for sales to the United States has been higher than the price prevailing on world markets. However, for a period of several months in 1950 and 1951, during the Korean war, and again in 1957, following the Suez crisis, Cuba continued to supply sugar to the United States even though the world price was at levels considerably higher than those prevailing in the United States.

Recent developments, however, have raised questions in our minds as to whether Cuba will be a dependable source in the future. Cuban official spokesmen have announced, not once but on many occasions, their desire to diversify agricultural production and to eliminate what they have termed "the evils of monoproduction" and "the dependence on foreign markets." Steps already taken to achieve this professed objective, in addition to the problems inherent in the Government's plan to redistribute the land under the agrarian law, have led knowledgeable observers to predict that Cuba's sugar production will soon register a decline of at least 1,000,000 tons from current levels. What implementation of this program will do to Cuba's sugar production over the long term is uncertain at this time, but we cannot exclude the possibility of a further progressive decline in years to come.

It should also be borne in mind, in connection with Cuba's future ability to supply the United States market, that the Cuban Government has recently entered into an agreement with the Soviet Union under which it is committed to supply 1,000,000 tons of sugar annually during the next 5 years. Trade agreements have also been signed recently with East Germany and Poland calling for shipments of 60,000 tons and 50,000 tons, respectively. Reports are current that an agreement involving the shipment of a half million tons of sugar to Communist China is presently under active consideration. This would be in addition to 50,000 tons sold to Communist China in March.

Because of these and other circumstances this would be an appropriate time for the United States to seek ways to diversify its sources of supply and reduce the dependence of its consumers on Cuban sugar, the supply of which may become increasingly uncertain. It is noted that, on the last two occasions when the Sugar Act was re-

vised, the Congress made changes which had the effect of giving more of our market to other producers and limiting the share of the market going to Cuba. However, even with a substantial reduction from present levels Cuba would be by far the largest single source of sugar for the United States.

In conclusion, while of course we are convinced that the original administration recommendations were sound, our position on the bills which I understand are still actively before the committee or the House as they relate to Presidential authority is as follows. We believe it would be a serious mistake to deny the President authority to act in this area. And while we believe that the national interest could be better protected under the flexible authority to the President as provided in H.R. 12534, I nevertheless believe we could operate within the less flexible authority which would be provided in H.R. 12624.

Congressional Documents Relating to Foreign Policy

86th Congress, 2d Session

Operations of the Development Loan Fund. Hearings before a subcommittee of the House Government Operations Committee. August 18, 1959-March 7, 1960. 936 pp.

Semiannual Report of the National Advisory Council on International Monetary and Financial Problems. Letter from the chairman of the National Advisory Council, together with text of the report for the period January 1-June 30, 1959. H. Doc. 380. April 19, 1960. 77 pp.

International Convention for the Prevention of Pollution of the Seas by Oil. Hearing before the Senate Foreign Relations Committee on Ex. C, 86th Congress, 2d session. May 17, 1960. 28 pp.

Communist Threat to the United States Through the Caribbean. Hearing before the Subcommittee To Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Senate Judiciary Committee. Part VI. Testimony of Edward J. Whitehouse. May 26, 1960. 16 pp.

Events Incident to the Summit Conference. Hearings before the Senate Foreign Relations Committee. May 27-June 2, 1960. 302 pp.

World Newsprint Supply-Demand: Outlook Through 1961. Report of the Committee on Interstate and Foreign Commerce pursuant to section 136 of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, and House Resolution 56, 86th Congress. H. Rept. 1669. May 27, 1960. 30 pp.

Favoring Active Participation by Federal Agencies in the Fifth International Congress on High-speed Photography. Report to accompany S. Con. Res. 75. H. Rept. 1733. June 1, 1960. 5 pp.

Extension of Marketing Order Quality Standards to Imported Walnuts and Dates. Report to accompany H.R. 12341. H. Rept. 1734. June 1, 1960. 6 pp.

International Communism in Latin America

*Statement by R. R. Rubottom, Jr.
Assistant Secretary for Inter-American Affairs*¹

I welcome this timely opportunity to join the subcommittee at this time in a discussion of international communism in Latin America.

The events of the past few months have brought to the surface the greatly intensified effort of the Soviet Union and Communist China in Latin America to break down the common front which all of the nations of this hemisphere have traditionally presented against totalitarian dictatorships in the Old World.

Chairman Khrushchev, shortly after returning to Moscow after shattering the hopes vested by all peaceful people in the summit meeting and brusquely canceling the invitation extended to our President to visit the Soviet Union, accepted an invitation to visit a Latin American country. This country, he made plain at his Paris press conference after the summit breakdown, should serve as a *model* for revolutions in other Latin American countries. Several times in the last several months Chairman Mao Tse-tung appears to have gone out of his way to receive Latin American Communist leaders and to exhort them to give their full backing to the kind of revolution which he and Chairman Khrushchev like. Everywhere in Latin America the Communist parties have now reverted to a belligerent and revolutionary line aimed as much at trying to capture sincere nationalism and weakening the democratic governments of Latin America as at fanning hatred of the United States.

¹Made before the Subcommittee on Inter-American Affairs of the House Foreign Affairs Committee on June 20.

To understand the intensity of the current Communist drive in Latin America, I think it is necessary to examine the fundamentals of our relations with Latin America. These relations are based on common principles, and these principles are alien to Communist ideology. Latin Americans, just as we in the United States, set the highest value on freedom, and we believe that this freedom is best assured by the effective exercise of representative democracy. Neither Latin Americans nor the peoples of this country believe that the "dictatorship of the proletariat" is a desirable goal for political activity, nor do we believe that it is a necessary or desirable phase which society inevitably must go through to achieve the better material life to which we all aspire.

Latin America does not believe, any more than we do, that suppression is the road to freedom. We see this clearly in the great ground swell which has swept so many dictatorships from the Latin American scene in the last several years, and we may rest assured that ultimately Latin America will just as decisively reject dictatorships masquerading behind a totalitarian, atheistic ideology. Peoples in the American Republics aspire to societies in which the individual free man can, through the ballot box, have a voice in his destiny.

Another outlook which unites the Americas is a common concept of the goal of economic activity. Latin America shares with us the concept that the goal is a better life for all citizens. Like us they deplore the existence of totalitarian systems in which citizens are forced to devote their energies and dissipate their wealth to maintain a high level of armaments and to subsidize the

foreign subversive and propaganda activities designed to impose that system on other peoples. Latin Americans, a highly individualistic people, believe in economic as well as political freedom and, in the last analysis, reject the regimentation which all totalitarian ideologies seek to impose upon them.

And what of moral and spiritual values which are the antithesis of communism? They constitute a great bulwark of strength against Communist penetration of the Americas, which would destroy them if successful, although obviously they need to be reinforced by visible evidence of economic and social progress.

Finally, Latin America joins with us in a firm determination that the hemisphere we share with it shall be secure from aggression from the outside and resistant to the fifth column, subversive activity directed by totalitarianism. This was their stand during World War II, and during the 15 years that the free world has been overshadowed by the threat of Communist aggression and subversion, the Latin American countries—alone of the great underdeveloped areas—have virtually always been strong allies on all questions involving the security of the free world against communism.

I say all this to emphasize strongly that the Latin American countries themselves have as great a stake as we do in countering communism in the Western Hemisphere and that we must work together with them to meet this threat. At the same time Latin America offers conditions which greatly tempt the Communists: It is an area in transition, facing myriad problems in attempting rapidly to raise the standards of living and economic productivity of its people; profound changes are occurring in its political and social structure; its population is growing more rapidly than that of any other area; and widespread dissatisfaction with existing conditions and an urge to reform are the order of the day. Inevitably this process of change—although ultimately leading toward the goals of greater freedom and a higher living standard for the individual—brings temporarily frictions, frustrations, and maladjustments which the Communists seek to exacerbate and to use to their advantage. Like the judo fighter, they seek cleverly to use the points of weakness to make the area's strength work against itself.

Maximum and Minimum Goals of Communism

At the present time it is clear that the Communists have maximum and minimum goals in Latin America. As indicated by Mr. Khrushchev's remarks at his Paris press conference, this maximum goal is that a revolutionary pattern should spread throughout Latin America, characterized not only by virulent anti-Americanism but also by a radical economic transformation in which the private property of the local population as well as foreigners would be seized without compensation and the economy subjugated completely to the control of the state. It is also clear that the revolutionary pattern which Mr. Khrushchev desires is also to be characterized by the leading role which the Communist Party is to play in the management of the revolution he hopes to see spread in the Latin American area. Should the Communists succeed in spreading this revolution in Latin America, they would have (1) dealt a heavy blow to the strength and unity of the free world and (2) doomed the peoples of the countries involved to the spiritless captivity which has always followed massive Communist intervention and takeover.

The Communists must, of course, realize that the chances that they will achieve this maximum objective are slim. Ultimately the Latin American peoples themselves will not accept playing the role of a Soviet instrument against the forces of freedom of which they are a part. The Communists, therefore, have a minimum objective as well. That minimum objective is to provoke the United States into actions and attitudes inconsistent with the spirit of partnership which regulates inter-American relations and thus not only permanently to damage our relations with Latin America but also to offset the image of Hungary and Tibet by portraying the United States before the world as an "aggressor" intervening in the internal affairs of its neighbors.

It is important to note that these maximum and minimum objectives represent a slight but important shift in international Communist tactics in Latin America, adding up to a more aggressive policy. Some years back, during Stalin's time, the Communists in Latin America as elsewhere generally had as their goal that the Communists should gain open control, and they considered "united front" tactics and the like merely as means to that goal. At that time the Communists were

almost everywhere in Latin America openly dedicated to the overthrow of existing governments. Although the Communists, of course, still retain the seizure of power and the establishment of the dictatorship of the proletariat as their ultimate goal, Khrushchev in the mid-1950's introduced more subtle policies. He thought that the short- and intermediate-term interests of international communism would best be served by collaboration with nationalist elements in Asia, Africa, and Latin America, who he thought could be relied upon to be anti-U.S. even if they were non-Communists. Accordingly, on the international plane he launched a government-to-government diplomatic and trade-and-aid offensive with nationalist governments, some of whom in Latin America as in the Near East and Africa were actually suppressing or restricting the local Communist parties. Within the countries the Communist parties were ordered to conceal their true revolutionary and subversive purposes and as respectable "democratic" parties seek alliances with nationalist and leftist elements. It was evidently Khrushchev's hope that, by sacrificing to some extent the immediate ambitions of Communist parties and having them adopt a "soft" line, he could bring about a break between the nations of Asia, Africa, and Latin America on the one hand and the United States and its European allies on the other.

Khrushchev's policy was soon revealed to have substantial deficiencies from the Communist point of view. Although several nations of Africa and Asia accepted his aid and were visited by him, they did not turn against the United States and they in many cases vigorously checked the subversive and illegal activities. In Latin America, although the Communists gave their support to non-Communist candidates and parties, they had little success with this method. In some cases the electorate rejected the candidates whom the Communists supported; in others, candidates who had won with Communist support subsequently excluded the Communists. Thus among Communists a question arose as to whether the short-term "peaceful coexistence" policy meant the liquidation or weakening of the Communist parties on which the international Communist leadership ultimately had to depend if the long-range goal of communization was to be reached.

Interestingly enough this question was very much in the foreground when the 21st Congress of

the Soviet Communist Party met in Moscow at the end of January 1959, approximately a month after the Batista government in Cuba was overthrown. This Congress was attended by Latin American Communist Party leaders from at least 18 of the 20 Latin American Republics, and most of them subsequently went on to Peking. During their sojourn behind the Iron Curtain it was apparently decided that the full weight of the Communist apparatus in Latin America should be thrown behind the Cuban revolution and that there should be improved coordination between all of the Latin American Communist parties to make this more effective.

Cuban Revolution

The question arises: Why did international communism select the Cuban revolution at that time as the type of revolution to support? The answer perhaps may be found by an examination of the characteristics which differentiate the Cuban revolution from other nationalist revolutions in Latin America as well as in Africa and Asia. From the Communist point of view one criterion must have been the degree of collaboration with the Communist Party. The difficulty they had seen in other nationalist revolutions was that the nationalists excluded rather than welcomed the collaboration of the Communist Party and the revolution thus ultimately served the purpose of local nationalism rather than Communist internationalism. A second attractive characteristic in Communist eyes was the determination of the Cuban revolutionary government to carry forward ruthlessly and without regard to the individual and property rights of free people a fundamental social and economic revolution which had as its professed aim to put all power in the hands of the "workers and peasants," this being a euphemistic expression to cover an utterly cynical dictatorship. In dealing with other nationalistic movements the Communists had always encountered opposition from the democratic classes, which resisted efforts of communization of the society. Finally, the Communists doubtlessly saw advantage in a revolution which claimed universal applicability throughout Latin America as distinct from nationalist revolutions confined to one country. We saw and heard Chairman Khrushchev take the Castro kind of government to his heart and then offer it to the rest of Latin America.

In deciding to throw their weight behind the Castro kind of revolution, the Communists brought into play considerable resources. In Latin America it is estimated that there are 250,000 card-carrying Communists. Although it is sometimes said that this is a small portion of the population, we must bear in mind that this represents at least 20 times as many Communists as there are in the United States, which has a population approximately equal to that of Latin America. The leaders of these Communists have been fully trained behind the Iron Curtain and have demonstrated extraordinary skill in establishing Communist-front groups and in infiltrating into student, labor, and other groups. It has been estimated that it would take \$100 million to finance a propaganda effort of the scope which the Communists are carrying out in Latin America today. This propaganda offensive includes not only the huge amounts of Communist propaganda which are being published and disseminated within Latin America but also large amounts of propaganda imported from the Communist bloc and distributed through bloc missions in the area. Communist-bloc radio broadcasts to Latin America extensively, and last year the Spanish-language broadcasts of Radio Peking were increased to the point that they are now second only to the worldwide English-language broadcasts.

All of these assets are now concentrated on supporting and spreading the Castro kind of revolution throughout Latin America. To this extent the Communists have moved away from the policy of collaborating with other non-Communist groups and are now emphasizing to a greater extent the hitherto revolutionary approach, which constitutes a direct threat to the other Latin American governments. Khrushchev has in speeches made it abundantly clear that he fully supports the Cuban revolution. He first made a reference to it in a speech before the Indian Parliament during his trip to that country earlier this year and has favorably referred to it on several occasions in addition to the endorsement which he gave at his Paris news conference. Communist theoretical publications in Peking, as well as Moscow, have also endorsed the Cuban revolution. It is noteworthy in this respect that the Cuban revolution is singled out while there no longer are favorable references to the other national movements of Asia and Africa which the Soviets formerly

warmly endorsed. The Cuban revolution, in short, represents the pattern of revolution which the Communists would like to see spread throughout the underdeveloped world to replace national independence and strengthening of individual political and economic freedom.

Counteracting Communist Penetration

This stepped-up aggressiveness of Sino-Soviet policy, and the extent to which it involves using Cuba and the Cuban revolution as its instrument, is obviously of serious concern to the United States; and I am confident that this concern is widely held elsewhere in the hemisphere. The problem of preventing its encroachments is one which calls for the most effective utilization of the resources available to those who value human liberty and the maintenance of the freedom and independence of ourselves and our allies.

One of these resources is, of course, the constant attention which all responsible persons and governments must give to the elimination of those social and economic evils for which international communism offers false and damaging panaceas. It would be dangerous to assume that the fact that extremist and even chaotic programs of social reform are actually contrary to the general well-being is perceived by everyone in Latin America. Some elements tend to look uncritically at claims and assertions of reform in the interests of those who need land and homes, and this tendency is exploited to the full by the Communists. This means, of course, that all concerned with general economic and social progress in Latin America must be certain not only that forward-looking steps are taken but that their purpose and usefulness are more widely understood. This involves our own programs of cooperation and assistance, but it also involves the governments and responsible groups in Latin America which have such an important stake in the maintenance of orderly, democratic, independent government in this hemisphere. I point this out, not because it necessarily offers our best approach to counteracting Communist penetration, but because it is often overlooked or misunderstood.

The views of the Department of State with regard to the specific resolutions which are before this subcommittee have been set forth in considerable detail in letters to the chairman of the Committee on Foreign Affairs, Dr. [Thomas E.]

Morgan, as well as to certain of the sponsors of the proposals. It is our view that the problem of international Communist intervention in the Americas, when this goes beyond what can be done by each government within the framework of its existing obligations to the OAS [Organization of American States] and the U.N., should be approached on a multilateral basis in conformity with the international instruments available for that purpose. We think it is in our national interest to maintain this course, and another course could have seriously injurious effects upon our country and its standing and influence throughout the hemisphere and the world.

It is my view that ways and means can and will be found within the framework of procedures available and our international obligations to counteract such threats to the peace and security of the American states. A prerequisite to multilateral consideration of this problem within the OAS must be the effective accumulation and presentation by all concerned of the evidence of the case in a manner which will convince the governments and people of the American Republics of the full nature and scope of the danger confronting all of us. In this respect particularly, I believe that the statements and actions of international communism and its leaders in recent weeks amply demonstrate that it is engaged in a new and intensified campaign of intervention in the internal and external affairs of this hemisphere and that this campaign is aimed at preventing genuine progress through orderly representative government in the Americas.

U.S. and Norway Agree To Extend Educational Exchange Program

Press release 342 dated June 21

The Governments of the United States and Norway agreed to extend for 3 years the educational exchange program that has been carried out between the two countries since 1949. The program, which is authorized by Public Law 584, 79th Congress, the Fulbright Act, was extended officially by an exchange of diplomatic notes at Oslo on June 21. Under the terms of the original agreement the program was due to expire in 1960.

The exchange program provides round-trip

travel grants to Norwegian graduate students, professors, research specialists, and teachers so that they can undertake teaching, study, or research projects at American institutions of learning. American students, professors, and teachers going to Norway for similar purposes under the program receive maintenance stipends in Norwegian currency in addition to their round-trip transportation. The program is financed with Norwegian currency that has accrued to the U.S. Treasury in payment for surplus properties purchased by the Norwegian Government after the Second World War. Since 1949, 1,218 Norwegian citizens and 405 American citizens have won grants under this exchange program.

The agreement to extend the program provides for the expenditure of the equivalent of \$200,000 in Norwegian kroner during each of the next 3 years.

The overall exchange program carried out under the Fulbright Act is under the supervision of the Board of Foreign Scholarships, a 10-member public body appointed by the President. The exchange program with Norway is administered in Oslo by the binational U.S. Educational Foundation. At the present time exchange programs under the Fulbright Act are conducted between the United States and 35 other countries.

U.S. Gives Austria 1-Year Extension on Copyright Registration, Renewal

DEPARTMENT ANNOUNCEMENT

Press release 330 dated June 15

The President has signed a proclamation dated June 15, 1960, giving Austrian citizens an extension of 1 year to comply with formalities necessary to bring their literary, artistic, and musical works within the protection of the U.S. copyright law. An exchange of diplomatic notes on June 15 between the Governments of Austria and the United States affirmed the continued existence of conditions of substantial reciprocity in copyright relations between the two countries.

The new proclamation permits citizens of Austria who were unable to apply for U.S. copyright registration or renewal from March 13, 1938,

through July 26, 1956, to do so during the year following the date of the proclamation. Affected are those Austrian works that were either first published or produced outside the United States or became subject to renewal of U.S. copyright during that period.

Austrians lacked the facilities essential for compliance with the conditions of the copyright law for several years before, during, and after World War II. The 1938 date marks the beginning of the occupation of Austria, and the 1956 date is 1 year after the effective date for the United States of the Austrian state treaty of 1955. Under that treaty, occupation troops were withdrawn from Austria.

A number of significant Austrian literary and musical works are eligible for protection under the extension arrangement. Among the works to which the proclamation is believed to apply are operettas and other musical works by composers Oscar Straus and Franz Lehár.

The U.S. copyright law provides that there shall be no liability for the lawful use of any of the affected works prior to the proclamation date or for the continuation during the subsequent year of any undertaking that involves expenditure or contractual obligation in connection with the lawful exploitation of any such work.

PROCLAMATION 3353¹

COPYRIGHT EXTENSION: AUSTRIA

WHEREAS the President is authorized, in accordance with the conditions prescribed in section 9 of title 17 of the United States Code, which includes the provisions of the act of Congress, approved March 4, 1909, 35 Stat. 1075, as amended by the act of September 25, 1941, 55 Stat. 732, to grant an extension of time for fulfillment of the conditions and formalities prescribed by the copyright laws of the United States of America, with respect to works first produced or published outside the United States of America and subject to copyright or to renewal of copyright under the laws of the United States of America, by nationals of countries which accord substantially equal treatment to citizens of the United States of America; and

WHEREAS satisfactory official assurances have been received that since December 14, 1907, citizens of the United States have been entitled to obtain copyright protection for their works in Austria on substantially the same basis as citizens of Austria without the need of com-

plying with any formalities, provided such works secured protection in the United States; and

WHEREAS, by virtue of a proclamation by the President of the United States of America, dated April 9, 1910, 36 Stat. 2685, citizens of Austria are, and since July 1, 1909, have been, entitled to the benefits of the aforementioned act of March 4, 1909, other than the benefits of section 1 (e) of that act; and

WHEREAS, by virtue of a proclamation by the President of the United States of America, dated March 11, 1925, 44 Stat. 2571, the citizens of Austria are, and since August 1, 1920, have been, entitled to the benefits of section 1 (e) of the aforementioned act of March 4, 1909:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid title 17, do declare and proclaim:

That with respect to (1) works of citizens of Austria which were first produced or published outside the United States of America on or after March 13, 1938 and prior to July 27, 1956, and subject to copyright under the laws of the United States of America, and (2) works of citizens of Austria subject to renewal of copyright under the laws of the United States of America on or after March 13, 1938 and prior to July 27, 1956, there has existed during several years of the aforementioned period such disruption or suspension of facilities essential to compliance with the conditions and formalities prescribed with respect to such works by the copyright laws of the United States of America as to bring such works within the terms of the aforesaid title 17, and that, accordingly, the time within which compliance with such conditions and formalities may take place is hereby extended with respect to such works for one year after the date of this proclamation.

It shall be understood that the term of copyright in any case is not and cannot be altered or affected by this proclamation, and that, as provided by the aforesaid title 17, no liability shall attach under that title for lawful uses made or acts done prior to the effective date of this proclamation in connection with the above-described works, or with respect to the continuance for one year subsequent to such date of any business undertaking or enterprise lawfully entered into prior to such date involving expenditure or contractual obligation in connection with the exploitation, production, reproduction, circulation, or performance of any such work.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this fifteenth day of June in the year of our Lord nineteen hundred [SEAL] and sixty, and of the Independence of the United States of America the one hundred and eighty-fourth.



By the President:
DOUGLAS DILLON,
Acting Secretary of State.

¹ 25 Fed. Reg. 5373.

ILO Conference Votes "No Decision" on Hungarian Delegation's Credentials

*Statement by Horace E. Henderson*¹

For the fourth consecutive year the International Labor Conference has before it a report of the Credentials Committee recommending that the Conference refuse to admit the delegation of the Hungarian Government, and I must point out that in the 4 years since the tragic events in Hungary not one single member—I repeat not one single member—of the Credentials Committee of the International Labor Conference has ever voted for the admission of the Hungarian delegation.

One year ago the United States supported the rejection of the Hungarian Government Credentials, which was endorsed by the Conference by the necessary two-thirds majority vote.² Regrettably, the situation has not changed. In spite of all protestations to the contrary the Hungarian people continue to live under a repressive regime which was installed and maintained by the armed forces of the Soviet Union in violation of the charter of the United Nations. While a partial amnesty was announced by the Hungarian authorities on March 31st of this year, the details as to the exact number of patriots affected by this partial amnesty are not known, and the regime has refused to permit the United Nations Special Representative [Leslie Munro] to visit Budapest to discuss this matter; still we welcome the March 31st announcement. We hope that it may—and I stress the word "may"—be a first indication that the present authorities in Hungary are finally showing some heed to world opinion. If they modify their reliance on repressive measures and

if the true Hungarian patriots are spared, the partial amnesty deserves to be welcomed.

On the other hand, the United Nations Special Representative, at his press conference in this city on April 8th, reminded us that rumors of secret executions for the 1956 activities continue to circulate. The world knows that the record of the present Hungarian regime has not been good when it comes to fulfilling promises. We need recall only the fate of Imre Nagy, General Pal Maleter, and the Hungarian freedom fighters. It is clear that any real improvement in the international position of the present Hungarian regime can come about only by an improvement in its relations with the United Nations. In this connection the United States believes that the present Hungarian authorities, in their own interest and in the interests of the Hungarian people and of the world, should without further delay invite the United Nations Special Representative to visit Budapest. Thus we see—and I say regrettably—that, while there has been no change in the situation in Hungary, we continue to look for some indication of hope for the welfare and freedom of the workers and people of Hungary.

We now have before us the third report of the Credentials Committee. Whereas last year there was a majority report for rejection, this year a majority of the Credentials Committee has recommended "that a decision on the validity of the contested credentials must be postponed." The majority report refers to the following facts in justification of this recommendation: (1) the report of the United Nations Special Committee on the Problem of Hungary,³ which found that the Hungarian revolution was a spontaneous, national uprising and that the present Hungarian regime had been imposed on the Hungarian people by the armed intervention of the Union of Soviet Socialist Republics; (2) the decisions of the United Nations General Assembly

¹ Made before the 44th International Labor Conference at Geneva on June 10 during debate on the third report of the Credentials Committee, which dealt with the credentials of the Hungarian delegation. Mr. Henderson, who is Deputy Assistant Secretary for International Organization Affairs, was a U.S. delegate to the Conference.

² BULLETIN of July 20, 1959, p. 99.

³ U.N. doc. A/3592. For text of the final chapter of the report, see *ibid.*, July 8, 1957, p. 62.

which condemned the action of the U.S.S.R., which, in violation of the charter of the United Nations, had deprived Hungary of its liberty and political independence and denied the Hungarian people of the exercise of their fundamental human rights;⁴ and (3) the decision by the ILO to invalidate the credentials of the Hungarian Government delegation in 1958 and 1959.

The majority report further states that the authors of the objection refer to the fact that since last year "the U.S.S.R. has continued unchanged its domination and mastery of the Hungarian people through the regime in Budapest." It is also noted in the credentials report before us that as in previous years both the workers' and employers' members of the Credentials Committee have associated themselves with a severe condemnation of the present Hungarian regime.

The position of my Government today is influenced by three considerations: first, that there has been no improvement in the situation in Hungary; secondly, that the Conference has before it a majority report for "no decision" rather than for rejection; and thirdly, that a succession of actions for "no decision" has been clearly adopted in the General Assembly and in other agencies of the United Nations. In view of these circumstances the Government of the United States supports the proposal of the majority report contained in the third report of the Credentials Committee to take no decision regarding the credentials submitted on behalf of the representatives of the Government of Hungary in order to conform to the action confirmed by the General Assembly of the United Nations on 10 December 1959, by 72 votes to 1, with 1 abstention.⁵

The United States delegation therefore supports the amendment to the minority report of the third report of the Credentials Committee submitted by the government delegation of the Philippines. This is the only way by which the Conference can adopt the "no decision" proposal contained in the majority report, since under ILO procedures only a proposal to reject credentials is presented to the Conference for discussion. The adoption of this amendment will make the action of this Conference on the Hungarian Government credentials conform to that taken by the General

Assembly. Thus the United States supports the recommendation for "no decision," but we wish to make it completely clear that this in no way indicates a change in the United States position concerning the situation in Hungary. The adoption of this amendment will replace the minority report for rejection now before the Conference and will, in effect, substitute for it the majority report that a decision on the validity of the contested credentials will be postponed.

The United States continues firmly to support the strong sentiments of indignation and censure which underlay the action of the 42d and 43d sessions in refusing to admit the Hungarian delegation. Last year's action had the merit of demonstrating that the 1958 decision was not just an isolated reaction taken in a moment of shock and outrage. Having driven home the strength of this feeling, we are confident that, if we now take action on the Hungarian Government credentials similar to that of the General Assembly, the condemnation reflected in the past actions of the ILO on Hungarian credentials will stand permanently in the record and our present action of "no decision" cannot be misunderstood as a change in our attitude toward the present Hungarian regime or in our desire to continue to give hope to the Hungarian people's tragic and heroic struggle for freedom.⁶

Confirmation of U.S. Representatives to Fifteenth General Assembly

The Senate on June 22 confirmed the following to be representatives of the United States to the 15th session of the General Assembly of the United Nations, to serve no longer than December 31, 1960:

Henry Cabot Lodge
George D. Aiken
Wayne Morse
Francis O. Wilcox
Mrs. Oswald B. Lord
Mrs. Zelma Watson George
Arthur F. Lamey
Frederick Blake Payne
Charles Rosenbaum
Miss Frances E. Willis

⁴ *Ibid.*, Sept. 30, 1957, p. 515, and Jan. 12, 1959, p. 55.

⁵ For statements made by Henry Cabot Lodge, U.S. Representative, see *ibid.*, Jan. 4, 1960, p. 17.

⁶ The amendment was adopted on June 10 by a vote of 159 to 80, with 15 abstentions.

TREATY INFORMATION

Agreement for Establishment of Caribbean Organization Signed at Washington

DEPARTMENT ANNOUNCEMENT

Press release 339 dated June 21

The agreement for the establishment of the Caribbean Organization was signed at Washington on June 21.

His Excellency Hervé Alphand, Ambassador of France, signed on behalf of the Government of the French Republic.

His Excellency Dr. J. H. van Roijen, Ambassador of the Netherlands to the United States of America, signed on behalf of the Government of the Kingdom of the Netherlands.

His Excellency Sir Harold Caccia, G.C.M.G., K.C.V.O., British Ambassador to the United States of America, signed on behalf of the Government of the United Kingdom of Great Britain and Northern Ireland.

The Honorable Christian A. Herter, Secretary of State of the United States of America, and the Honorable Roderic L. O'Connor, United States cochairman of the Caribbean Commission, signed on behalf of the Government of the United States of America.

The Caribbean Organization will be the successor body to the Caribbean Commission, established in 1946 to encourage cooperation in economic and social development throughout the French, Netherlands, British, and United States areas in the Caribbean. The Organization will have broadly the same objectives as the Commission, but its activities will be directed by a Council on which the following are eligible to be represented:

The Republic of France for the Departments of
French Guiana, Guadeloupe and Martinique
The Netherlands Antilles
Surinam
The Bahamas
British Guiana

British Honduras
The British Virgin Islands
The West Indies
The Commonwealth of Puerto Rico
The Virgin Islands of the United States

This change has been made in response to the express wishes of the peoples of the area. The new Organization will reflect the significant constitutional and economic changes which have taken place in the area since 1946.

After the agreement has been approved or accepted by the signatory parties, they will issue a joint declaration bringing the new Organization into existence. It is hoped that this will be done as early as possible in 1961. The headquarters of the new Organization will be located in San Juan, Puerto Rico, to which the Commission headquarters have recently been transferred.

TEXT OF AGREEMENT AND DRAFT STATUTE

AGREEMENT FOR THE ESTABLISHMENT OF THE CARIBBEAN ORGANIZATION

THE GOVERNMENTS OF THE REPUBLIC OF FRANCE, the KINGDOM OF THE NETHERLANDS, the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, and the UNITED STATES OF AMERICA,

Having reviewed the work of the Caribbean Commission since the entry into force of the Agreement for the establishment of the Caribbean Commission, signed at Washington on October 30, 1946;¹

Recognizing that the Commission has done much to further regional cooperation in many fields, and has rendered valuable services in the Caribbean area;

Having considered the statements by representatives from the area calling for a revision of the Agreement for the establishment of the Caribbean Commission in the

¹ 62 Stat. 2618.

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light of the new constitutional relationships in the Caribbean area;

Having considered that the purposes and functions as set out in the Agreement for the establishment of the Caribbean Commission should be the basis of a new organization designed to replace it;

Having noted the views expressed at the West Indian Conference convoked in Special Session commencing on July 28, 1959;

Having considered the draft Statute prepared by this Conference and transmitted to them by the Caribbean Commission;

Noting that the purposes and functions as set out in this draft Statute accord with those which were the basis of the Agreement for the establishment of the Caribbean Commission; and

Noting that nothing in this draft Statute is intended to alter or conflict with the respective constitutional relations between the Governments hereinbefore named and the prospective Members of the Organization respectively;

Hereby agree as follows:

ARTICLE I

1. The Contracting Parties agree upon the establishment of the Caribbean Organization in accordance with the Statute annexed to this Agreement.

2. The Republic of France for the Departments of French Guiana, Guadeloupe, and Martinique; the Netherlands Antilles; Surinam; the Bahamas; British Guiana; British Honduras; the British Virgin Islands; The West Indies; the Commonwealth of Puerto Rico; and the Virgin Islands of the United States are eligible to become Members, and are referred to in this Agreement as "prospective Members".

ARTICLE II

No provision of this Agreement shall be interpreted as affecting the present or future constitutional status of the prospective Members of the Organization or, where applicable, the present or future constitutional relations of any of the aforesaid prospective Members with the Contracting Parties.

ARTICLE III

On the termination of the Agreement for the establishment of the Caribbean Commission, signed at Washington on October 30, 1946, the assets of the Caribbean Commission shall be and are by virtue of this Agreement transferred to and vested in the Caribbean Organization. The Caribbean Organization is hereby authorized to assume at the same time the liabilities of the Caribbean Commission and shall be regarded as the successor body to the Caribbean Commission.

ARTICLE IV

The Agreement for the establishment of the Caribbean Commission shall terminate at the end of the first meeting of the Caribbean Council provided for in the Statute annexed to this Agreement.

ARTICLE V

1. This Agreement shall be subject to approval or acceptance by the signatory Governments. Instruments of approval or acceptance shall be deposited with the

Government of the United States of America, hereby designated as the depositary Government, which shall notify the other signatory Governments of each such deposit.

2. This Agreement shall enter into force on signature of a joint declaration to that effect by the signatory Governments, following deposit of instruments of approval or acceptance by the signatory Governments, and after the Secretary-General of the Caribbean Commission has received notification, in accordance with paragraph 1 of Article IV of the Statute annexed to this Agreement, from not less than six of the prospective Members of the Caribbean Organization.

3. This Agreement shall have indefinite duration. Any Contracting Party may at any time withdraw from the Agreement. Such withdrawal shall take effect one year after the date of the receipt by the depositary Government of the formal notification of withdrawal and shall be without prejudice to any liability already vested in the withdrawing Contracting Party by or under this Agreement in respect of the period before the withdrawal takes effect. This Agreement shall continue in force thereafter with respect to the other Contracting Parties.

ARTICLE VI

This Agreement, done in a single original in the English, French, Netherlands, and Spanish languages, each version being equally authentic, shall be deposited in the archives of the Government of the United States of America. Duly certified copies thereof will be transmitted by that Government to the other signatory Governments.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Agreement.

DONE at Washington this twenty-first day of June, 1960.

For the Government of the Republic of France:

HERVÉ ALPHAND

For the Government of the Kingdom of the Netherlands:

J. H. VAN ROIJEN

For the Government of the United Kingdom of Great Britain and Northern Ireland:

HAROLD CACCIA

For the Government of the United States of America:

CHRISTIAN A. HERTER

RODERIC L. O'CONNOR

STATUTE OF THE CARIBBEAN ORGANIZATION

WHEREAS the Caribbean Commission since its establishment in 1946 has done much to further regional co-operation in many fields and has rendered valuable services in the Caribbean area; and

WHEREAS since the establishment of the Caribbean Commission significant constitutional and economic changes have taken place in the area, and the peoples concerned have expressed their desire to accept increased responsibility in solving the problems of the area; and

WHEREAS in order to facilitate the continuance of social, cultural and economic cooperation in the area, it

is considered advisable to establish a successor body, the Statute of which reflects these changes and the new responsibilities which the prospective Members (as defined in Article III of this Statute) have undertaken since 1946; and

WHEREAS the objectives herein set forth are in accord with the Charter of the United Nations;

NOW THEREFORE there is established the Caribbean Organization which is governed by the following provisions:

ARTICLE I

Establishment and Powers of the Caribbean Organization

1. There is hereby established the Caribbean Organization (hereinafter referred to as the "Organization").

2. The Organization shall have consultative and advisory powers and such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes.

ARTICLE II

Functions and Purposes of the Organization

Within the scope of its powers, the functions and purposes of the Organization shall be to concern itself with social, cultural and economic matters of common interest to the Caribbean area, particularly agriculture, communications, education, fisheries, health, housing, industry, labor, music and the arts, social welfare and trade.

ARTICLE III

Eligibility for Membership of the Organization

1. The following are the prospective Members of the Organization, and are hereby declared eligible to become Members:

The Republic of France for the Departments of
French Guiana, Guadeloupe and Martinique
The Netherlands Antilles
Surinam
The Bahamas
British Guiana
British Honduras
The British Virgin Islands
The West Indies
The Commonwealth of Puerto Rico
The Virgin Islands of the United States.

2. The Republic of France, as referred to in paragraph 1 of this Article, shall be represented in the Organization by one delegation having three votes.

ARTICLE IV

Notification of Membership and Withdrawal

1. Any prospective Member of the Organization may at any time declare by notification given to the Secretary-General of the Caribbean Commission, or the Secretary-General of the Organization, that it accepts the obligations imposed by this Statute and that it elects to become a Member.

2. Any notification in accordance with the preceding paragraph of this Article received by the Secretary-General on or before the date on which the Statute comes into force shall take effect on that date. Any notification

received after the date on which this Statute comes into force shall take effect on the date of its receipt by the Secretary-General.

3. Any Member may at any time declare by notification given to the Secretary-General of the Organization that it elects to cease to be a Member. This notification shall take effect one year after the date of its receipt by the Secretary-General of the Organization. On the withdrawal from the Agreement to which this Statute is annexed of any Party to that Agreement, the Members for whose international relations that Party is responsible shall cease to be Members of the Organization.

4. Where a Member ceases to be a Member in accordance with paragraph 3 of this Article, such cessation shall be without prejudice to any liability already vested in that Member by or under this Statute in respect of the period before the cessation takes effect.

5. The Secretary-General shall notify all Governments signatory to the Agreement to which this Statute is annexed and all Members and prospective Members of the receipt of any notification referred to in Paragraphs (1) and (3) of this Article.

ARTICLE V

The Caribbean Council

The governing body of the Organization shall be the Caribbean Council (hereinafter referred to as the "Council").

ARTICLE VI

Composition of the Council

1. Each Member shall be entitled to send to each session of the Council one delegate and such advisers as it may consider necessary, but the Republic of France shall be entitled to send one delegation and such advisers as it may consider necessary. Such delegates or delegation, as the case may be, shall be appointed in accordance with the constitutional procedures of each Member. The Secretary-General shall be notified by the Members of the appointment of each delegate or delegation, as the case may be.

2. Each Member may at any time, by notification given to the Secretary-General, appoint a person to act as alternate during the absence of its delegate from any meeting of the Council. The Republic of France shall have similar rights with respect to its delegation. The alternate, while so acting, shall stand in all respects in the place of the delegate.

ARTICLE VII

Functions and Powers of the Council

Within the scope of the powers of the Organization, the Council shall:

(a) study, formulate and recommend to Members measures, programs and courses of action in social, cultural and economic matters designed to contribute to the well-being of the Caribbean area;

(b) assist in the coordination of local projects which have regional significance and in the provision of technical guidance on a regional basis;

(c) arrange for or provide technical guidance not otherwise available;

(d) promote the coordination of research on a regional basis;

(e) make recommendations to the Members for carrying into effect action in regard to social, cultural and economic problems;

(f) further cooperation with other international and national organizations and with universities, foundations and similar institutions having common interests in the Caribbean area and, subject to the principle expressed in Article XVII, may

(i) on behalf of the Organization, conclude technical assistance agreements with other international or national organizations, being agreements which every Member is competent or authorized to conclude and the conclusion of such agreements being dependent on a unanimous vote;

(ii) on behalf of the Organization, or, as may be appropriate, on behalf of such of the Members as may make the specific request, conclude arrangements or contracts in pursuance of the aforesaid agreements;

(iii) conclude appropriate cooperation agreements with universities, foundations and similar institutions, and arrangements or contracts in pursuance of these agreements;

(g) summon such conferences, appoint such committees, and establish such auxiliary bodies as it may find necessary and desirable;

(h) direct and review the activities of the Central Secretariat and the aforementioned conferences, committees and auxiliary bodies;

(i) issue the staff rules of the Central Secretariat;

(j) issue the financial regulations of the Organization;

(k) appoint a Secretary-General in accordance with paragraph 5 of Article IX and paragraph 4 of Article X.

ARTICLE VIII

Meetings and Procedures of the Council

1. The Council shall establish its own rules of procedure.

2. Meetings of the Council shall be presided over by a Chairman, chosen from among the delegates to the Council.

3. The Council shall hold at least one meeting each year at which the annual budget for the ensuing year shall be considered. It is empowered to convene and hold meetings at such times and at such places as it may decide. The Chairman shall cause a meeting to be convened if requested to do so by not less than one-half of the Members. The first meeting of the Council (which shall be a budget meeting) shall be held at such time after the coming into force of this Statute and at such place as may be designated by the Caribbean Commission.

4. Meetings of the Council shall preferably be held in the territory of each of the Members in turn, and a similar principle, where appropriate, shall be followed with regard to all other activities of the Organization.

5. The first Chairman shall be elected at the first meeting and shall hold office until the end of the ensuing year. Thereafter the Chairmanship shall rotate in accordance with such rules of procedure as the Council may adopt, provided always that a Chairman shall not be of the same nationality as the preceding Chairman.

ARTICLE IX

Voting in the Council

1. Subject to paragraph 2 of this Article, each delegate shall be entitled to cast one vote, but the delegation of the Republic of France shall be entitled to cast three votes.

2. Matters of procedure shall be decided by the Council by a simple majority of the votes cast. Except as provided for in paragraphs 3, 4 and 5 of this Article, subparagraph (f) (i) of Article VII, and paragraphs 3 and 4 of Article XII, all other matters, including disputes as to the classification of any matter as procedural or substantive, shall be decided by a two-thirds majority of the votes cast. However, when a decision or recommendation is adopted by a two-thirds majority of the votes cast, any Member may declare that the decision or recommendation will not be applicable as far as it is concerned. Where, in respect of a matter to be decided by a simple majority of the votes cast, the votes are equally divided, the Chairman shall have a casting vote. If the Chairman does not in such a case use his casting vote, the motion for decision shall be lost.

3. The Council shall examine drafts of the annual budget and any supplementary budgets submitted by the Secretary-General. Voting on the total figure of a budget, annual or supplementary, shall be preceded by a vote on each budget head. Each budget head shall be approved by a two-thirds majority of the votes cast. The total of a budget, annual or supplementary, shall be approved by a unanimous vote. In the event that it is not possible to obtain a unanimous vote on the budget for any year, the budget voted for the previous year shall remain in force and the Members shall continue to make the same contribution as they made during the preceding year.

4. The adoption and amendment of the Rules of Procedure shall require unanimity of the votes cast.

5. The appointment of the Secretary-General shall require unanimity of the votes cast.

6. For the purpose of this Statute, "the votes cast" means votes cast affirmatively or negatively. Abstentions shall not be considered as votes cast.

ARTICLE X

The Central Secretariat

1. The Organization shall maintain in the Caribbean area a Central Secretariat to serve the Council and its conferences, committees and auxiliary bodies.

2. The Secretary-General shall be the chief administrative officer of the Organization. He shall be responsible for carrying out all directives of the Council.

3. Subject to the staff rules issued by the Council and any further directives he may receive from the Council, the Secretary-General shall appoint and dismiss the staff of the Organization.

4. In the appointment of the Secretary-General and other members of the staff of the Central Secretariat, primary consideration shall be given to the technical and personal qualifications of the candidates. To the extent possible consistent with this consideration, the staff shall be recruited within the Caribbean area and with a view to obtaining equitable national representation.

5. In the performance of their duties the Secretary-General and staff shall not seek, receive or observe instructions from any Government, from any Member, or from any authority external to the Organization. The Secretary-General and staff shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

6. Each Member undertakes to respect the exclusively international character of the functions of the Secretary-General and staff and not to seek to influence them in the discharge of their responsibilities.

ARTICLE XI

Finances

1. The expenses of the Organization shall be borne by the Members in proportions to be specified in an appropriate arrangement arrived at unanimously by the Members.

2. The fiscal year of the Organization shall be the calendar year.

3. The Secretary-General shall prepare and submit to the Council the draft of an annual budget and such supplementary budgets as may be required by the Organization and shall submit them to the Members at least one month prior to their discussion by the Council. Upon approval of the budget, the total amount thereof shall be allocated among the Members in the proportions arrived at in accordance with paragraph 1 of this Article. Each Member shall undertake, subject to the requirements of its constitutional procedures, to contribute promptly to a Joint Fund to be established by the Members such annual and supplementary sums as may be charged to each in accordance with the arrangement referred to in paragraph 1.

4. The Secretary-General shall hold and administer the Joint Fund of the Organization and shall keep proper accounts thereof. The Council shall make arrangements satisfactory to the Members for the audit of the accounts of the Organization. The audited statements shall be forwarded annually to each Member.

5. The expenses of delegates or delegations attending meetings sponsored by the Organization shall be borne by the Members whom they respectively represent.

ARTICLE XII

Observers

1. The Parties to the Agreement to which this Statute is annexed shall be entitled to send to all meetings held under the auspices of the Organization observers who shall have the right to speak but not to vote.

2. Any prospective Member of the Organization shall be entitled to send to all meetings held under the auspices of the Organization observers who shall have the right to speak but not to vote.

3. The Council may, if it so decides by a unanimous vote, and subject to the approval of the Parties to the Agreement to which this Statute is annexed, authorize the Secretary-General to issue to any Government having interests in the Caribbean area not being a Party to the Agreement to which this Statute is annexed an invitation to send observers to any meeting held under the auspices of the Organization.

4. The Council may, if it so decides by a unanimous vote, authorize the Secretary-General to issue to the organizations, universities, foundations and similar institutions as referred to in subparagraph (f) of Article VII, an invitation to send observers to any meeting held under the auspices of the Organization.

ARTICLE XIII

Relationships with Governments not Parties to the Agreement

The Organization in all its activities shall bear in mind the desirability of strengthening international cooperation in social, cultural and economic matters with Governments having an interest in such matters in the Caribbean area but not being Parties to the Agreement to which this Statute is annexed.

ARTICLE XIV

Immunities

Each Member undertakes to accord, so far as possible under its constitutional procedures, to the Organization, the Secretary-General and appropriate personnel of the Central Secretariat such privileges and immunities as may be necessary for the independent exercise of their functions, and to the Central Secretariat inviolability of its buildings, premises, archives and assets.

ARTICLE XV

Languages

The English, French, Netherlands and Spanish languages shall be the official languages of the Organization. The working languages shall be English and French.

ARTICLE XVI

Transfer of Assets and Liabilities of the Caribbean Commission

With effect from the termination of the Agreement for the Establishment of the Caribbean Commission under Article IV of the Agreement to which this Statute is annexed, the Organization, as the successor body to the Caribbean Commission, is authorized to take over all the assets and shall assume all the liabilities of the Caribbean Commission.

ARTICLE XVII

Saving Clause

No provision of this Statute shall be interpreted as affecting the present or future constitutional status of the Members of the Organization, or, where applicable, the present or future constitutional relations of any of the aforesaid Members with the Parties to the Agreement to which this Statute is annexed.

ARTICLE XVIII

Amendment of Statute

Amendment to this Statute shall require the unanimous approval of the Members of the Organization and of the Parties to the Agreement to which this Statute is annexed.

ARTICLE XIX

Entry into Force

This Statute shall enter into force immediately after:

(a) there has been received by the Secretary-General of the Caribbean Commission notification pursuant to paragraph 1 of Article IV from at least six of the prospective Members of the Organization; and

(b) the Parties to the Agreement to which this Statute is annexed have signed a Joint Declaration under paragraph 2 of Article V of that Agreement.

ARTICLE XX

Transitional Provisions

Until such time as the Secretary-General of the Organization is appointed and is able to assume the duties of his office, the Secretary-General of the Caribbean Commission shall be the Secretary-General of the Organization with power to appoint a staff on a temporary basis.

Current Actions

MULTILATERAL

Antarctica

The Antarctic Treaty. Signed at Washington December 1, 1959.¹

Ratification deposited: Union of South Africa, June 21, 1960.

Caribbean Organization

Agreement for establishment of the Caribbean Organization, and annexed statute. Signed at Washington June 21, 1960, by France, Netherlands, United Kingdom, and United States. Enters into force on signature of a joint declaration by signatory Governments following deposits of instruments of approval or acceptance with the United States and receipt by the Secretary General of the Caribbean Commission of notifications of acceptance of obligations imposed by the statute from not less than six prospective members of the Organization.²

BILATERAL

Argentina

Agreement providing a grant to assist in the acquisition of certain nuclear research and training equipment and materials. Effected by exchange of notes at Buenos Aires September 9, 1959, and May 23, 1960. Entered into force May 23, 1960.

Austria

Agreement for the extension of time for the fulfillment by Austrian citizens of the conditions and formalities prescribed by the copyright laws of the United States.

¹ Not in force.

² The prospective members are: the Republic of France for the Departments of French Guiana, Guadeloupe, and Martinique; the Netherlands Antilles; Surinam; the Bahamas; British Guiana; British Honduras; the British Virgin Islands; The West Indies; the Commonwealth of Puerto Rico; and the Virgin Islands of the United States.

Effected by exchange of notes at Washington June 15, 1960. Entered into force June 15, 1960.

Chile

Agricultural commodities agreement under title I of the Agricultural Trade Development and Assistance Act of 1954, as amended (68 Stat. 455; 7 U.S.C. 1701-1709), with memorandum of understanding and exchanges of notes. Signed at Santiago June 2, 1960. Entered into force June 2, 1960.

Dominican Republic

Agreement extending the technical cooperation vocational education program agreement of March 16, 1951, as amended (TIAS 2244, 2544, 2994, and 3358). Effected by exchange of notes at Ciudad Trujillo June 2 and 7, 1960. Entered into force June 7, 1960.

Japan

Treaty of Mutual Cooperation and Security, with agreed minute and exchange of notes. Signed at Washington January 19, 1960.

Senate advice and consent to ratification given: June 22, 1960.

Ratified by the President: June 22, 1960.

Ratifications exchanged: June 23, 1960.

Entered into force: June 23, 1960.

Agreement under article VI of the Treaty of Mutual Cooperation and Security regarding facilities and areas and the status of U.S. armed forces in Japan, with agreed minutes and exchange of notes providing for the settlement of certain claims against the U.S. forces by former employees. Signed at Washington January 19, 1960.

Entered into force: June 23, 1960.

Yugoslavia

Agricultural commodities agreement under title I of the Agricultural Trade Development and Assistance Act of 1954, as amended (68 Stat. 455; 7 U.S.C. 1701-1709), with exchanges of notes. Signed at Belgrade June 3, 1960. Entered into force June 3, 1960.

DEPARTMENT AND FOREIGN SERVICE

African Posts Elevated to Embassies

Dakar

The Department of State announced on June 20 (press release 338) that the American consulate general at Dakar, Federation of Mali, was elevated on that date to an embassy upon formal attainment of independence by the Federation, which is composed of the former autonomous republics of the French Community, Senegal and Soudan. The Federation attained its independence through negotiation with France.

Donald A. Dumont, a career Foreign Service officer, who has been consul general at Dakar since December 1957, has been named *Chargé d'Affaires*.

The United States has been represented in Dakar since December 1940, when a consulate was opened there.

Official celebration of the independence of the Federation of Mali has been scheduled for January 17, 1961, the second anniversary of the Federation of Senegal and Sudan.

Tananarive

The Department of State announced on June 25 (press release 352 dated June 24) that the American consulate at Tananarive, Malagasy Republic, is being elevated to an embassy on June 26, 1960, upon formal attainment of independence by this former autonomous republic of the French Community. Malagasy attained its independence through negotiation with France.

John Roland Jacobs, a career Foreign Service officer, who has been consul at Tananarive since April 1959, when the consulate was reopened there, has been named Chargé d'Affaires.

Official celebration of the independence of the Malagasy Republic has been scheduled for July 30-31, 1960.

Designations

John W. Johnston, Jr., as ICA Deputy Regional Director for Latin America, effective June 26. (For biographic details, see Department of State press release 349 dated June 24.)

PUBLICATIONS

Recent Releases

For sale by the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D.C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State

Air Force Mission. TIAS 4410. 3 pp. 5¢.

Agreement between the United States of America and El Salvador, extending agreement of November 21, 1957, as modified. Exchange of notes—Signed at San Salvador January 15 and 22, 1960. Entered into force January 22, 1960. Operative retroactively November 21, 1959.

Surplus Agricultural Commodities. TIAS 4412. 3 pp. 5¢.

Agreement between the United States of America and Indonesia, amending agreement of May 29, 1959, as amended. Exchange of notes—Signed at Djakarta November 18, 1959. Entered into force November 18, 1959.

Economic Assistance to Yemen. TIAS 4413. 10 pp. 10¢.

Agreement between the United States of America and Yemen. Exchange of notes—Signed at Taiz August 3 and 5, October 18, and November 8, 1959. Entered into force November 8, 1959.

United States Educational Foundation in Thailand. TIAS 4414. 5 pp. 5¢.

Agreement between the United States of America and Thailand, amending agreement of July 1, 1950, as

amended. Exchange of notes—Signed at Bangkok February 1, 1960. Entered into force February 1, 1960.

Surplus Agricultural Commodities. TIAS 4415. 5 pp. 5¢.

Agreement between the United States of America and Poland, amending agreement of June 10, 1959, as amended. Signed at Washington February 11, 1960. Entered into force February 11, 1960. With exchange of notes.

Atomic Energy—Cooperation for Civil Uses. TIAS 4416. 20 pp. 15¢.

Agreement between the United States of America and Venezuela, superseding agreement of July 21, 1955. Signed at Washington October 8, 1958. Entered into force February 9, 1960.

Grant for Procurement of Nuclear Research and Training Equipment and Materials. TIAS 4421. 6 pp. 5¢.

Agreement between the United States of America and Colombia. Exchange of notes—Signed at Bogotá July 31, 1959, and January 11, 1960. Entered into force January 11, 1960.

Check List of Department of State Press Releases: June 20-26

Press releases may be obtained from the Office of News, Department of State, Washington 25, D.C. Releases issued prior to June 20 which appear in this issue of the BULLETIN are Nos. 324 of June 14 and 330 of June 15.

No.	Date	Subject
336	6/21	Martin: Senate Foreign Relations Committee.
338	6/20	Post at Dakar raised to embassy (rewrite).
339	6/21	Agreement for establishing Caribbean Organization.
340	6/21	Martin: Senate Foreign Relations Committee.
341	6/21	Educational exchange (rewrite).
342	6/21	Educational exchange agreement with Norway extended.
343	6/22	Herter: House Committee on Agriculture.
*344	6/22	Cultural exchange (Finland).
†345	6/22	Delegate to ECE Steel Committee (rewrite).
†346	6/23	Thai paintings and exhibit.
*347	6/23	Brown nominated Ambassador to Laos (biographic details).
*348	6/24	Thayer: "African Problems and U.S. Programs."
*349	6/24	Johnston designated ICA Deputy Regional Director for Latin America (biographic details).
*350	6/24	Thayer: "Advancing Freedom in a Scientific and Technical World."
351	6/24	Herter: anniversary of U.N. action in Korea (combined with No. 353).
352	6/24	Post at Tananarive raised to embassy (rewrite).
353	6/24	Herter: news conference.
†354	6/24	Visit of King and Queen of Thailand.
355	6/24	Herter-Wiley: correspondence on President's visit to Japan.

*Not printed.

†Held for a later issue of the BULLETIN.

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The section on the British Commonwealth of Nations relates to agreements with the several members of the Commonwealth in connection with the conduct of the war and to the interest of the United States in situations affecting the war effort.

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